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1836, April 7 - G. K. Gibson and others to His Excellency, the acting Governor of the Territory of Michigan.

1836, Oct. 11 - An election certification signed by Dominique Pouchette and others.

1836, Oct. 29. - Permission granted to Alexander S. Irwin Esq. by Henry Dodge to take seat in House of Representatives.

1836, Nov. 15 - H. Dodge to P. H. Engle Esq. Speaker of the H. of Representatives

1837, July 8 - John Vanghelee to W. B. Slaughter, Esq.

1837, Sept 11 - Election testimony signed by Charles C. Schales.

1838, May 15 - Appointment of John C. Wilcox as Auditor for the County of Dane signed by Henry Dodge.

[1842] - Election certification of James D. Doty signed by John G. O'Neil. and H. L. Doty.

1842, Feb. 22. - Commission issued to John Morrison and others signed by J. D. Doty.

1842, Dec. 24 - J. D. Doty to Jno. Woodell Esq.

1846, May 25 - Henry Dodge to John Catlin.

1850, Jan. 8 - Jannie Duane Doty to H. E. Nelson Dewey.

1850, Sept. 28 – Walter Underhill to Hon. Nelson Dewey. With note of recommendation signed by Henry Dodge.

1851, Jan. 2 – Henry Dodge to His Excellency Gov. Nelson Dewey.

1851, Feb. 3 – James Duane Doty to His Excellency Nelson Dewey.

1851, Mar. 15 – Henry Dodge to His Ex. N. Dewey.

To His Excellency
the acting Governor of
the Territory of Michigan

We the undersigned, citizens of the County of Dubuque in said Territory, having understood that Mr. M. H. Prentice had resigned the Office of Auctioneer in this place would therefore respectfully pray your Excellency to appoint Mr Jno. O. Graham of this place as Auctioneer of said County to fill the vacancy above alluded to and your Petitioners as in duty bound will ever pray &c

Dubuque April 7th 1836

J. C. Gibson
Warner Lewis
Jos. Garrison
D. D. E. Theson
John Wright
H. H. Pease
Paul Cain
John Morris
Samuel C. Huntsman
M. O. Scott
C. L. Warren
Thos Shambo
H. Burke
J. E. O'Farrell
[illegible]
[illegible]

1829

Recommendation
of Geo. O. Graham
as Auctioneer for
Dubuque County
Michigan Territory

DEPARTMENT OF STATE,

WASHINGTON, *April* 21, 1836.

SIR:

Agreeably to the law for the distribution of the Acts of Congress (Act, April 20, 1818, *sec.* 6,*) the number of copies of the Acts of the Second Session of the Twenty-fourth Congress, due to the State of* Wisconsin *is* 30

These have been put up in packages, each containing 6 *copies, and deposited in the Post Office in this City to be forwarded to you. When received, you will please inform this Department thereof.*

I am, sir,

Your obedient servant,

JOHN FORSYTH,

Secretary of State.

To his Excellency the GOVERNOR of Wisconsin

Belmont

Jno. Forsyth. April 21. 1836.

~~Acknowledging the receipt~~

of 30 copies of Acts of Congress

2nd Sess. 24th Congress.

Receipt acknowledged

Enclosed in: Palmer to Dodge.
1836, Dec. 10.

1836, Aug.

[CIRCULAR.]

No. 2.

—o-o-o-o—

UNITED STATES OF AMERICA.

INDIANA STATE LOAN,...$10,000,000,

FOR INTERNAL IMPROVEMENTS.

JEREMIAH SULLIVAN,
SAMUEL HANNA,
ISAAC COE,
} **Board of Fund Commissioners,...Indianapolis.**

By an act of the Legislature of January last, the State of Indiana has undertaken a general system of internal Improvements, consisting of Canals, Rail and McAdamized Roads, calculated to cost $10,000,000, for which the BOARD OF FUND COMMISSIONERS of the State are directed to issue that amount of stock, as the avails may be wanted: and for the re-payment of the principal and interest whereof, the faith of the State is irrevocably pledged.

The means of the State of Indiana to do this are ample: she possesses a remarkably fertile soil, situated in a fine climate, with a population now estimated at 600,000, very rapidily increasing; and her property subject to taxation, estimated at a very low rate at $75,000,000, and which there is little doubt will increase to twice or three times that sum before the whole $10,000,000 are wanted. The present tax for the support of the State Government is 5 cents on the $100, which may readily be increased to ten times that amount; and there are no other loans authorized which will be a charge on the funds of the State.

There has been made and authorized to pay the stock in the STATE BANK, $1,690,000, the interest and principal of which it is supposed will be repaid from Bank dividends, leaving the entire capital to be appropriated towards the payment of the *Internal Improvement Loan*, if required.

There has also been made and authorized, a loan of $1,327,000 for the WABASH AND ERIE CANAL, which will be repaid from sales of Canal Lands, leaving the tolls to pay the interest of the *Internal Improvement Loan;* and the State has authorized a loan of its Bonds for $500,000 to the LAWRENCEBURGH RAILROAD COMPANY, secured by mortgage on the property of the Stockholders.

The above are all the loans made or authorized by the State.

To meet the interest and principal of the INTERNAL IMPROVEMENT LOAN, there will be, in aid of the State revenue,

1st. The TOLLS on the works themselves.

2d. The TOLLS on the WABASH AND ERIE CANAL.

3d. The BANK STOCK.

4th. About $1,000,000, the rateable share of the SURPLUS REVENUE of the United States, to be received by the State of Indiana, on the 1st of January next, under the late Deposite Law of Congress. It was estimated at only $612,000 in Circular of the 1st ultimo; but the Official Report of the Treasury Department, since published, shows a balance in the Treasury of the United States on the 1st inst., of $40,230,576.18; the share of Indiana therein, may be fairly rated at $1,000,000 to $1,200,000.

The BANK LOAN is for 20 to 30 years, at pleasure of the State, at 5 per cent. per annum.

INTERNAL IMPROVEMENT LOAN, 25 years, " " " "

WABASH AND ERIE CANAL LOAN, 30 to 50 years, " " " "

There will be issued for 1836, - - - - - - - - - - - $ 440,000 BANK LOAN.
1,500,000 INTERNAL IMPROVEMENT LOAN.
622,000 WABASH AND ERIE CANAL LOAN.

$2,562,000,

of which $500,000 have recently been taken by Messrs. J. I. Cohen, Jr. & Brothers, *Baltimore;* and $1,000,000 by Messrs. Thomas Biddle & Co., *Philadelphia*, and the Morris Canal and Banking Company of this city.

These Stocks are issued by the BOARD OF FUND COMMISSIONERS in the form of Bonds, of $1,000 each, payable to the bearer, with dividend warrants attached, and bear an interest of *five* per centum per annum, payable semi-annually in the city of New York, on the first days of January and July. The principal sum is also payable in this city: in the event, however, of the Board receiving early acceptable offers from European capitalists, either for the balance of the stocks required for the present year, or for the remaining portion of the $10,000,000, in such sums and at such times as they may be successively wanted, due arrangements would be made for the payment of the interest thereon, semi-annually, either in London, Paris, Amsterdam, Hamburgh, or Frankfort on the Maine. No offer at a rate below the par value of the stocks will be considered; and each proposal must specify the amount to be taken, and the premiums thereon, without reference to, or being contingent upon any or all other applications; to be addressed to the BOARD OF FUND COMMISSIONERS OF THE STATE OF INDIANA, *Office of American and Foreign Agency, New York.*

By order of the BOARD,

NEW YORK, August, 1836.

AARON H. PALMER, Agent, &c.

1836 Oct. 10

We the Undersigned do hereby certify that at an Election organized and held at the House of James Porlier. Esqr in the Township of Howard, County of Brown, and Territory of Wisconsin, on Monday the tenth day of October A: D: One thousand eight hundred and thirty six, pursuant to the Proclamation of his Excellency Henry Dodge. Governor of Wisconsin Territory Dated the Ninth & tenth of September 1836. for the purpose of electing a Delegate to the Congress of the United States— Two Members of Council and Three Members of the House of Representatives, Wisconsin Territory— and also one Colonel— One Lieutenant Colonel, and a Mayor of Militia for the County of Brown—

For Delegate to the Congress of the United States—

George Wm Jones, received Thirty five votes

Members of Council.

Henry S Baird received Twenty seven Votes
John P. Arndt received Twenty eight Votes
Morgan L Martin received Six Votes

Members of the House of Representatives.

Albert G. Ellis, received Twenty eight Votes
Ebenezer Childs received Thirty three Votes
George Wm Williams received Twenty two Votes
S. Dickinson received Five Votes
A. S. Irwin received Five Votes
Wm F. Hamilton received One Vote

Officers of Militia for Brown County

For Colonel

Jonathan Wheelock received – Eighteen Votes

Charles Fuller received – One Vote

Wm. Dickinson received Thirteen Votes

Lieutenant Colonel

Samuel Ryan received Twenty three Votes

Charles Fuller received Five Votes

Major

John A. McKesson received Twenty four Votes

J. J. Porlier received Eight Votes

We further certify that the foregoing is a true and correct Statement of Votes received at the dwelling House of James Porlier, Esqr. in the Township of Howard, on Monday the 10th of October 1836 –

Lemuel Tyler
Clerk of Election

Domenique X his Brunette
Mark
Daniel W. Hasbrouck
Louis Porlier
Inspectors of Election

Witnesses to the signature of
Domique Brunette. Senr.
D. Ivers
Samuel Ryan

Executive Department
Wisconsin Territory, Oct. 29. 1836

Alexander S. Irwin Esq. Member Elect to the House of Representatives from the County of Brown in the Territory of Wisconsin, has this day appeared before me, Henry Dodge, Governor of the said Territory and exhibited his Certificate of Election. The necessary oath was thereupon administered, which qualifies him to take his seat in that body.

Given under my hand this 29th October 1836

H. Dodge

Alexander J. Irwin

affidavit

Executive Department for the
Territory of Wisconsin
Nov. 15th 1836

Sir

I have this day approved and signed "An Act to authorize the Secretary of the Territory to borrow money to defray the expenses of the first Session of the Legislative Assembly"; and herewith return the same to the House of Representatives in which it originated.

A. H. Dodge

To
F. H. Engle Esq
Speaker of H. of Representatives

Communication from
the Commons
Nov. 15
1836.

Belmont Dec 7. 1836

To His Excellency Henry Dodge

Sir I become interested by purchase of a section of land from Benjamin Ecuyer under the treaty between the United States and Mississippi Indians held at Prairie Au Chien in August 1834 and according to the terms of said treaty it was to be located within the County purchased of them at that time. I have understood the report of the Commissioner who was appointed for that purpose has not been accepted, should the locating of them come under your Supervision I would be much obliged to you If you could advise me of the cause to be taken as soon as you are officially advised

Respectfully Yours
Richard S Lawn

A. J. Irwin, Dec. 7. 1836.

Gilbert Letterman

Esq. Mice

Belmont Dec. 8th 1871

Dear Sir

In the event of Green Bay becoming a Port of entry by Law I would take it as particular favor if you will procure for me the appointment of Collector. Your visit to Washington will afford you an opportunity of accomplishing the request of such a contingency. Permit me

With respect and Esteem I am Respectfully

Alexander Strong

To His Excy
Henry Dodge.

Alex. J. Irwin Dec. 8th 1836.

1836-57

Yours
Johnny Cage

Gilpin Executing

Enclosed: Circular of Fund Comm. of Ind.
1836, Aug.

E PLURIBUS UNUM

Office of American and Foreign Agency.

New York, December 10th 1836

His Excellency
Henry Dodge,
Governor of the Territory of Wisconsin,
Belmont.

Sir,

I take the liberty of enclosing herewith for your information, copy of a Circular of the Fund Commissioners of the State of Indiana, which, by their direction I have prepared in English, French, Spanish & Portuguese, & transmitted in July and August last, to every Minister, Legation and Consulate abroad, and to some of the principal Bankers of all the capitals of Europe, which offers for the $10,000,000 Loan at 5% redeemable in 20 to 30 and 50 years, as authorised by the Legislature of that State, in January last, for Internal Improvements.

The great and sudden change that took

place in the English money market, in August, has, it appears, prevented the negociation of any new American Securities in London, for the present, and has also had a tendency to advance the rate of Interest on the Continent, — but we have recent advices from an eminent Banking House at Frankfort on the Mayne, encouraging the expectation that the Indiana 5% Loan could probably be negociated at about 95, — provided the Bonds were issued by the Fund Commissioners in the French Language, with which the Bankers on the Continent are more generally conversant than with English, — the principal to be made secure, and dividends payable, there, either in French Francs, German Florins or Dutch Guilders, at a fixed rate of Exchange, — and that the customary charges at Frankfort on the Mayne for paying dividends are 1% Commission, [illegible] Brokerage [illegible] stamp, and postages.

As it is understood the Territory of

Wisconsin has in contemplation an analagous syst. of Internal Improvements that would probably require the aid of Foreign capital to carry into successful operation, I avail myself of this occasion to lay before you the foregoing facts and by most respectfully to tender you my aid and the facilities of this Agency in negotiating in Europe, any Loan authorised by your Territory; and would undertake the business for a Commission of 5% on the amount that may be negociated thro' this Agency, — the Territory to defray all the incidental expenses of printing, postage &c.

Awaiting your commands,
I have the honor to be,
With great respect,
Sir,
Your Excellency's Most Ob't Servant.

Aaron H. Palmer.

Aaron H. Palmer, Dec. 10. 1836.

enclosing Circular

of Indiana Fund Commissioners

Green Bay Jun 11. 1837

Sir

I have the honor to enclose here in a bond, for the proper discharge of My duties as a Notary Public of Brown Co. The Commission I had the honor to receive some time since

I am Most Respectfully
Your Obdt Servt
Henry Stringham

Hon Henry Dodge
Governor of Wisconsin Territory

Sir,

Treasury Department
25th February 1837,

I have received your letter of the 1st instant requesting a remittance of $350, appropriated to defray the contingent expenses of the Wisconsin Territory, and have directed the Treasurer to remit to you a Warrant for that amount: and in reply to your inquiry as to the manner of accounting for the same, have to inform you that it will be necessary for you to state in your name an account against the United States crediting the amount received by you and charging the amount disbursed, taking vouchers for the same, which accompanied by said account are to be transmitted to the first Auditor of the Treasury for settlement.

With great respect, I am sir
your obedt. Servt.

Levi Woodbury
Secretary of the Treasury

His Excellency
Henry Dodge
Governor of the Territory
of Wisconsin

Treas. Dept. July 25/37

requesting appropriation for contingent expenses of Missouri in Sanitary —

Indianapolis Indiana
April 3rd 1837

To his Excellency the Governor of Wisconsin Territory

Sir

In pursuance of a joint resolution of the General Assembly of the State of Indiana, I send you the third volume of Blackfords Reports of Cases decided in the Supreme Court of this State for the use of the State Library.

Please acknowledge the receipt of the same

Your obedient Servant

Wm. J. Brown

Secretary of State

Acknowledged Aug 31. 1837

Copy of a letter from Andrew Jackson to Mrs Harriett L Horner Green bay. —

"Hermitage April 4th 1837

My dear Madam,

Yours of the 4th of March has just reached me, I regret to learn from your letter that the exchange of offices by Mr Horner and Mr Slaughter is disagreable to you and you ask by whom it was brought about, and you say it was without the consent or approbation of Mr Horner. —

I am astonished at this; — The following are the facts, placed before me to obtain my approbation of the exchange. —

General Jones of Wisconsin and Dr Linn Senator from Missouri waited on me and informed me that Mr Horner and Mr Slaughter were desirous of exchanging offices, and to prove it produced Mr Horners & Mr Slaughters letters to that effect, on which I told them, on Mr Slaughters resigning his office I would nominate Mr Horner for that vacancy, and Mr Slaughter to his, made vacant by his nomination. — This was done under a belief that the arrangement was satisfactory to both, by their own mutual agreement, as evidenced by both their letters, and I sincerely regret to find from your letter that it is not so. — &c"

Andrew Jackson

Green County W. T. April 6th 1837

Sir

Having Recd a commission from your excellency, for Justice of the Peace for Iowa County, I have been qualified and acted as such, now I find by examining the Law passed by the Council, that I reside in that part of Iowa County that now constitutes Green, and that I have no authority to act further, as I cannot understand that we are attached to Iowa or any other Co. we therefore can do without officers. Esq. Boyle says that there is a mistake in the Printer as he offered an amendment to the bill to attach us to Iowa for Judicial purposes if so the people here would be gratified to know the fact.

Yours Most Respectfully

William V Bowen

To be answered Enquiry
to be made of Doctor Ordway
on the Subject of the
Amendment Mentioned
Changing Iowa boundary
Iowa Country

His Excellency
Hon. Robert Walker
Secretary of the Treasury

William Bowen April 6. 1837
Relation to annexation
of Green County to Iowa
for Judicial purposes.

OFFICE OF THE SECRETARY OF STATE,
Dover, Del., April 24 1837.

SIR,

I have the honor to transmit herewith, one copy of "Harrington's Reports," pursuant to a resolution of the General Assembly of this State, adopted February 21, 1837.

I have the honor to be

Very respectfully,

Your obedient servant,

A. Manning

Secretary of State.

HIS EXCELLENCY THE GOVERNOR OF

Wisconsin

Prairie du Chien 2d May 1837

Sir,

Allow me the liberty of making you acquainted with L. M. Warren Esq. of La Pointe in Lake Superior who visits you on official business — Mr. Warren has been long connected with the Amer. Fur Company in their trade on Lake Superior, and any facilities afforded to him will confer a favor on the Company as well as myself — With great Respect

S. L. Dousman

His Excellency
Gov. Dodge

A. L. Dousman May 2. 1837

introducing Mr Warren

of La Pointe, Lake Superior

John Dousman Esq

Office Exchange & Commission Merchant

Corner of Michigan

& Jefferson streets

South Pass at Sauk Prairie Thursday 14th 1837

To his Excellency A Dodge

Sir

The Messrs Informs me he has conversed with several of the Members of the Legislative Council of Wisconsin in regard to the propriety of your convening the Council & House of Representatives early a period as September) all who I have conversed with approve the measure, and that he has written to you on the subject, & requests I should write you also expressing my views, on the subject, I can say I should heartily concur in this measure, inasmuch as the important reasons as urged of our proceedings, & which

I am in readiness to submit to Congress at an early period of its session

Yours very Respectfully

Chas Duke

STATE OF KENTUCKY,

EXECUTIVE OFFICE,

FRANKFORT, 22nd May 1837.

TO HIS EXCELLENCY THE GOVERNOR OF Wisconsin,

SIR,

I HAVE the honor to transmit to your Excellency, for the use of the State over which you preside, TWO COPIES OF THE PUBLIC ACTS, PASSED AT THE LAST SESSION OF THE GENERAL ASSEMBLY OF THIS STATE, and to request, that the receipt of the same may be acknowledged.

Very respectfully,

Your obedient servant,

Jno Buccock

Secretary of State.

STATE OF DELAWARE.

OFFICE OF THE SECRETARY OF STATE,
Dover, June 4, 1837.

SIR,

I have the honor to transmit to your Excellency, for the use of the State over which you preside, three copies of the Laws passed at the last session of the General Assembly of this State, and to request that the receipt of the same may be acknowledged.

I am respectfully,
Your obedient servant,
A. Manning
Secretary of State.

HIS EXCELLENCY THE GOVERNOR OF Wisconsin

Burlington

To

His Excellency
Henry Dodge
Governor of Wisconsin
Territory

Mineral Point
June 15th 1837

Sir

In compliance with an order of the United States District Court for Iowa County of May Term 1837

I have the honor to transmit to your Excellency the Enclosed, relative to the Case of the United States against George Haidora

With great respect
I am Yr. H.S.T.
Edward McGhery

Clerk of U. S. Dist. Court
for Iowa County, enclosing the
proceedings in case of U. States
against George Madison, a
fugitive from the Justice of the
Territory — June 15. 1837

Hi Excellency Henry Dodge
Governor Wisconsin Territory

1837, June 15.

At a session of the United States District Court for the County of Iowa on the Tuesday of November, Virgin and Term of Court, the Court House in Mineral Point, in said County, on the Monday in May in A.D. 1837, on the third day of the Term the following was had, to wit:

The United States
vs
George Hardin } Indictment for Murder

On motion of the District Attorney and it appearing to the satisfaction of the Court, that the Defendant is a resident of the State of Illinois, It is therefore Ordered that it be certified to his Excellency the Governor of that Territory with a certified Copy of the Indictment and his Conviction.

The above is a true Copy from the Record
Attest
Thomas Mathews Clerk District Ct.
Iowa County

Copy of the Indictment

Territory of Michigan
County of Crawford } ss

At a term of the Circuit Court of the United States of America for the Counties aforesaid begun and held at Mineral Point in the said County of Iowa on a Monday the Seventh day of October in the year of our Lord 1836 before the Hon. Charles Dunn Judge of said Circuit Court.

The Jurors of the Grand Jury good and lawful men being duly empannelled, sworn & charged

Coroners on oath for the body of the County of Crawford and State
aforesaid upon their oath present that one George Mardens late of said
County of Lima, not having the fear of God before his eyes, but
being moved and seduced by the Devil instigation of the devil
on the eighth day of October in the year of our Lord 1837 at the
Township of Pittsburgh, in the County of Lima aforesaid, and
within the Jurisdiction of this Court, in and upon one John C
Welly in the peace of God then and there being, feloniously and
wilfully did make an assault, and that the said George Mardens
a certain knife, commonly called a Clasp knife, of the value
of fifty cents, which he the said George Mardens in his hands
then and there had and held, at and against
the said John C Welly then and there feloniously and
wilfully did thrust stab and stab, and that the said
George Mardens with the knife aforesaid, by means of stabbing
and thrusting at against the said John C Welly as aforesaid
did then and there feloniously and wilfully strike, pierce
stab and wound the said John C Welly giving to him
the said John C Welly then and there with the knife aforesaid
by means of striking and stabbing with the said knife at and against
the said John C Welly as aforesaid, did then and there feloniously
violently and wilfully strike, penetrate and wound the said John
C Welly in and upon the back near the right shoulder blade
of him the said John C Welly, giving to him the said John
C Welly with the knife aforesaid, by means of striking &
with said knife at and against the said John C Welly
and by such striking penetrating and wounding the said
John C Welly as aforesaid one mortal wound in the back
of him the said John C Welly of the breadth of two and a
half inches, and three inches of the depth of three inches

half an hour, of which said mortal wound the said John O'Kelly
from the said tenth day of October in the year aforesaid until
the first day of November in the same year at the Township
of Northampton in the County of Tioga aforesaid, and there
did languish and languishing did live on which said first day
of November in the year aforesaid at the Township of Northampton
and County last named aforesaid of the mortal wound and
wounds as aforesaid the said John O'Kelly did then and there
die; And the Jurors aforesaid upon their oath aforesaid do
say that the said George Hoadley did the said John
O'Kelly in the manner and by the means aforesaid feloniously
and wilfully did kill and slay against the statute in
such case made and provided and against the peace
and dignity of the United States of America.

Witness J. Campbell
Dist Atty 11th Dist Pa

Endorsed on the back of the
Indictment a true bill
James Drucker
Foreman

The within is a true copy of the Indictment in the above
cause on file in the Clerk's Office,
Witness my hand & seal of said
Court this 18th day of May 1842.

Richard Mercur Clerk
Dist Ct Tioga Co Pa

Now to wit, that George Hoadley who stands
indicted for manslaughter in the within is a witness
on the part of the commonwealth, be bound in recognizance
to appear at the next term of the court to testify
the truth.

Richard Mercur Clerk
Tioga Co Pa

Recognized
Arthur Ch. Tioga Co

United States } Indictment
vs } for
Henry Hardenburg } Manslaughter

Form No 12 Ty

Extract from the Record of the District Court — Certified Copy of the Indictment in said cause

Department of State,

June 28th 1837.

To the Governor of Wisconsin,
Mineral Point.

Sir: Three boxes to your address have ~~this day~~ been sent through the Collector of the Customs at New York to the Collector at Detroit who has been requested to ~~[illegible]~~ have them forwarded agreeably to their address Each box contains one set (18 vols) of the Documents of the 1st Session of the 24th Congress, and the three remaining volumes of those of the 1st Session of the 23d Congress, one of which is for the Executive, and one for each branch of the Legislature. An acknowledgment of them when received is requested.

I have the honor to be,
Sir, your obedient servant,

A. D. Dayton
Actg Secy of State

Dept. of State June 28. 1837

Treasury of the United States,
July 8th 1837.

Sir:

Enclosed you will receive a Treasury Draft made payable to your order, together with a descriptive list of the same, combined with a receipt therefor, which you will please to sign and return to this office, by return of mail.

I am, respectfully,
Sir, your obedient servant,
John Campbell,
Treasurer of the United States.

W. B. Slaughter Esq

Prairie du Chien July 17 1837

His Excellency
Henry Dodge
Dear Sir

Having received so many kind favours from you I am really at a loss in addressing you at present but having promised Dr Moore to speak to you in his favour before I left the Country I do so by letter

Dr Moore will be going on to Washington about the time you will be carry on the delegation of Indians and as it will be about the sickly season he has been advised by some friends to request you to take him on as Physician to your Staff. If it could be done consistently with your known ~~clear~~ ~~economy~~ for the general welfare and if you have not got presented it to another May I ask you to take the claim of Dr Moore into consideration

Wishing all health and happiness to yourself and family

I remain

Your most obedt

J R Vallain

D

Hon Excellency

Henry Dodge

Governor Wis. Ter.

Mineral Point

Free Dodge July 19. 1837

Salem Aug 3d 1837

Dr Sir

In compliance with a request of Dr A Wilson I now write to you to state that he is desirous of going to Washington City with the Deputation of Indians from the upper Mississippi Mr Hambo will also present himself before you for the same employment he is under the influence of the Rock Island atmosphere Brown is a pretty warm friend and if you employ men out of your Territory you ought to take him under consideration do not suppose I would under take to advise I write this entirely from request

Your obt Servt

John Atkinson

Galena Ill
Augt 3rd 1837

My dear Gov.

I have just ~~met~~ met with your warm friend Doctor Brown, who has intimated to me his desire of accompanying you to Washington City as one of the Conductors of one of the parties of Indians who are to visit the seat of Govt with you next month.

It is unnecessary for me to say any thing to you recommendatory of the Doctor as he is as well known to you as to myself. He is extremely anxious to go under your employment & at his request I take pleasure in saying so to you.

Very truly
Your sincere friend
Geo W Jones

Gov. Dodge

Cooperstown Aug. 29. (83)
State of N. York

To His Excellency
Governor Dodge,

Dear Sir,

Mr. George L. Pomeroy of this village is about starting for your territory with a view to the permanent establishment of himself in the practice of the law.

He is a young gentleman of the first respectability, and connexions: of excellent character and habits, and in every way worthy of confidence, and patronage.

If these lines should be the means of inducing you to take some interest in his establishment am any of you, I can assure you, that it will be friendship

(over)

discretly bestowed, as it will be gratefully remembered, and aid in introducing into your ~~flourishing~~ flourishing territory a useful and premising citizen.

Not having the pleasure of a personal acquaintance with you, I freely rely on my knowledge of your public character, in thus taking the liberty of troubling you with this communication —

With great regard I
am, dear Sir, your
obt. Serv.
S. Nelson

Milwaukie Oct 23d 1837

To his Excellency
Gov Dodge.

Respected Sir.

Will you suffer me, on the above recommendation of the Honor the Chief Justice of N. Y., to refer to you for good character and industry in the profession, in which I am about establishing myself in this place. By so doing your Excellency will confer a great kindness and will much oblige

Your obedient
Humble Servt
Geo. L. Pomeroy

1837

To His Excellency
Governor Dodge.

Geo. L. Pomeroy Esq
The Hon. W. B. Sheldon.

Mr. Pomeroy
will be
the bearer
of this letter
to
Gov. Dodge
Geo. L. Pomeroy
Washington

Treasury Department
Register's Office, Sept. 4. 1837.

Sir,

I have the honor to request, that the usual Estimates for the year 1838 may be prepared and transmitted to this office, as early as convenient, for the purpose of being laid (by the Secretary of the Treasury) before the Legislature of the United States, at ~~their~~ its ensuing Session.

I have the honor to be,
Sir,
Your most obedient servant
[illegible]
Register.

Henry Dodge Esq.
Governor
Wisconsin

Territory of Wisconsin, }
County of Brown, } SS.

I, Charles G. Sholes, Clerk of the District Court of the United States, for the county and territory aforesaid, ~~solemnly~~ certify, that at a Special election held in said County, on Saturday, the Second Day of September, A.D. 1837, in pursuance of the Proclamation of the Governor of said Territory, for the purpose of electing one Member of the Council, and one Member of the House of Representatives, to supply the vacancies occasioned by the resignations of Henry S. Baird, of the Council, and Albert G. Ellis, of the House of Representatives, of said Territory, Charles G. Sholes was duly elected a member of said House of Representatives.

In Testimony Whereof, I have hereunto subscribed my name, and affixed the Seal of the District Court of said County, the eleventh day of September, A.D. 1837.

Charles G. Sholes, Clk. D. C.

Rochester Sept. 17th 1837

Dear Sir

The high and important office you hold renders it proper to address you on any subject of public utility — or whenever the Territory over which you preside as the Chief-Executive officer is likely to suffer or be wronged by the injustice of another Territory or State.

The undersigned being appointed a Committee by a large and respectable meeting of the citizens of this part of Wisconsin Territory for this purpose; Beg leave to call Your Excellency's attention to the present proceedings of the State of Missouri, in regard to her northern boundary line.

The Legislature of Missouri as we are informed and as your Excellency is probably aware at their last session appointed Commissioners for the purpose of relocating or extending their Northern Boundary line; And we have to inform you that those Commissioners have met and commenced running a new line from a point in the Great Bend of the Des Moines River,

thence West the entire width of our Territory; including within its limits a tract of valuable country from ten to fifteen miles in width.

The Citizens of this region of country expected in case that this question had to be agitated and it examined that the General Government of Wisconsin Territory would have a voice in the proceedings; This we conceive would be our right and our privilege.

And as a Committee of the citizens of Wisconsin Territory we have to say that the people directly interested in this question are determined by all fair means to oppose the State of Missouri exercising jurisdiction over this disputed tract of country untill such times as the question shall be settled in a just and legal manner.

Your Committee are of opinion and we believe it to be the opinion of a large majority of the citizens of the country that the rapids referred to in the Constitution of Missouri or in the Law of the United States has reference to the Des Moine Rapids on the Mississippi River and non other.

We deem it unnecessary to address a lengthy Communication to Your Excellency

Department of State,
Oct. 18th 1837.

To the Governor of Wisconsin,
Mineral Point.

Sir: Three boxes to your address have this day been delivered to the Collector of the Customs at New York, who has been requested to have them forwarded agreeably to their address. Each box contains one set (12 vols.) of the Documents of the 2d Session of the 24th Congress; one of which is for the Executive, and one for each branch of the Legislature. An acknowledgment of them when recewed is requested.

I have the honor to be,
Sir, your obedient servant,

John Forsyth

Department of State
Oct. 18. 1837.
Informing that three boxes
of Documents of the Second
Session of 24th Congress have
been forwarded to the address
of the Executive —

House of Representatives Nov. 16. 1837

His Excellency
Henry Dodge Governor of the
Territory of Wisconsin.

Sir,

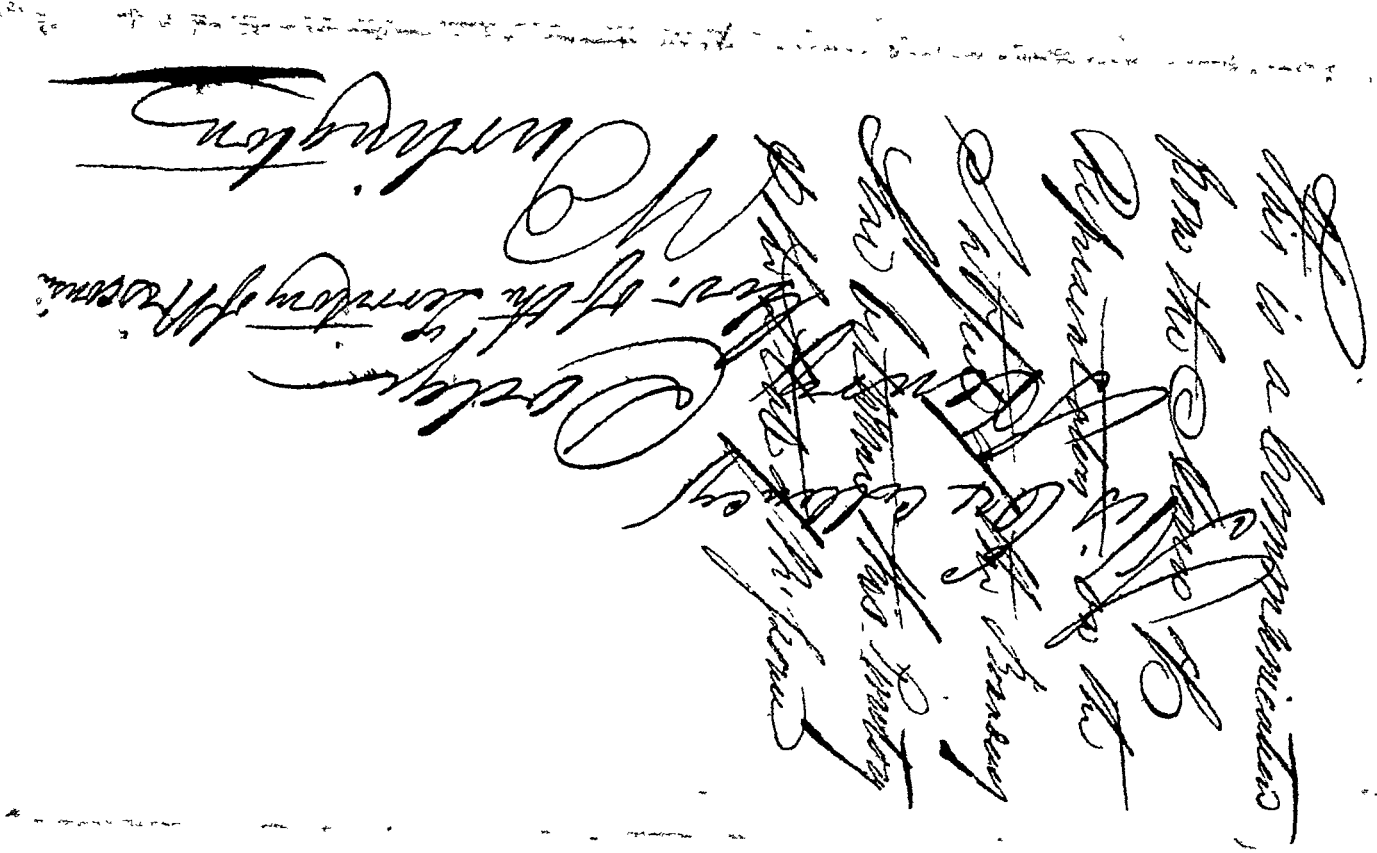
I am directed to inform you that the House of Representatives have passed a Resolution of which the following (in quotation) is a true copy.

"Resolved, that the Executive of this Territory be requested to furnish this House with a copy of any correspondence, he may have had with the Executive of the State of Missouri, upon the subject of the Boundary Line, between that State and this Territory, and also with a copy of the correspondence upon the same subject between him and the President of the United States, as far as he may deem the communication of the same, compatible with the public interest."

Passed. Nov. 16. 1837

Very Respectfully Your
Obt Servt

J. M. Catlin
Chief Clerk H. R.



Executive Department
Burlington Nov. 17th 1837

To

In reply to a call made by the House of Representatives on the Preceding Resolution.

"Resolved that the Executive of this Territory be requested to furnish this House with a copy of any correspondence he may have had with the Executive of the State of Missouri upon the Subject of the Boundary line between that State and this Territory and also with a copy of the Correspondence upon the same Subject between him and the President of the United States as far as he may deem the Communication of the same compatible with the Public interest"

I have the honor to state that I have received no Communications from the President of the United States or the Gov.r of the State of Missouri in relation to the Boundary line the Subject of the resolution of the House of Representatives in question

I am with great Respect
your Obedient Serv.t
A. Mac Dodge

To the Hon
Isaac Leffler
Speaker of the House
of Representatives

A Copy of My
Reply to the Letter
made by the House
of Representatives &c
the Constitution of the
Boundary Line between
this Territory and
the State of
Missouri

St Louis Mo
Nov. 20th 1857

Dear Gov.

I have only time to inclose you the within hastily drawn up affidavit & petition which I hope will be found to answer the purpose. It is not according to form I suppose but I hope will suit the case.

I shall not fail to attend strictly to your affairs at the War Dept in relation to your accts.

I hope the Assembly will pass some general law on the subject of roads generally to prevent people from turning them into the ravines & swamps. They should be compelled to obtain permission from the authorities of the County to turn off any usually travelled waggon or stage road & be subject to fine for infringing upon any such road to be recovered before a justice of the peace.

The boat is about to leave & I must close.

Very respectfully & truly
Your friend
Geo N Jones

Gov. Dodge
Belvidere
W.T.

Corb Lyons Letter
from St Louis
Enclosing his affidavit
on the subject
of Mrs McCarthy

Burlington Dec 6th 1837

To his
Excelency the Governor
H Dodge

Sir

I last Summer perhapsin July called at the office of our County recorder where I found our Sheriff Mr Aldrich Mr Hawley the Recorder and Daniel Wells Esq. Soon after I stepped in to the office Mr Branon the Constable came in and requested Esq Wells to open his Court in order to acknowledge or to prepare some papers to release a man from Jail whom was imprisoned for debt Mr Wells said he did not wish to do any business and would not open his court. Mr Branon urged the necessity of the court that he could not find another court in town Mr. Wells after some remarks between him and myself told Mr Branon if he would adjourn

the cost he Mr W would open his court and do other necessary business Mr Hawley observed that it was rather hard that the court should exact the cost of the office in these hard times Mr Mills answered that he knew the times were hard and he had come to the conclusion to build himself up on the downfall of community.

These are facts for which I stand responsible for the truth thereof and I therefore hope your Excellency will remove the said Mills from his office that his place may be filled with a man that will serve the people and Sir I am willing to pledge my reputation that said removal will meet the views of our people

I am Sir your most obedient and humble Servant
Adamson Scott

Alamos Scott
Letter on the
subject of the
Official bondsmen
of Wallace Billings
as Sheriff of the
Pottawattamie
County

To his Excellency the
Governor
Hence Dodge
Burlington
Io Ty

Burlington Dec 6th 1837

To his Excellency the Governor
Henry Dodge

Sir the undersigned most respectfully represent, that Daniel Wells Esq ought to be removed from the office of Justice of the Peace, as the said Wells does not and says that he will not attend to the duties of his office and Your petitioners hereby recommend said removal to Your Consideration, believing that such removal will meet the unanimous approbation of the people in the town of Milwaukie. Said removal will make room for said Wells' place to be filled

Adanson Sweet

M. B. Sheldon

Madison Wooward

Chas Sutherland

Gilbert Knapp

Petition of citizens of Mt
Morris for removal of
Superintendent of Poor
for the County
of Livingston
a certain
place for
the ensuing
year to be
from Applicants

To his Excellency the Governor
Henry Lodge
Burlington
W. T.

EXECUTIVE DEPARTMENT, NORTH CAROLINA,

Raleigh, Dec. 8, 1837.

Sir:

In obedience to an Act of the General Assembly of this State, and to the direction of the Governor, I have the honor to transmit to your Excellency three copies of the "Revised Statutes of North Carolina," for the use of your Territory

I have the honor to be,

Very respectfully,

Your obedient servant,

Christopher C. Battle

Private Secretary

To His Excellency

The Governor of Wisconsin

Milwaukee

Sutterburg Dec 8th 1863

Dear Sir

On the 1st inst we forwarded 3 Bales of Public Document received from Washington City & marked for you to Mess Hempstead Bro & Co St Louis Mo

The freight was paid to Saint Louis

Very Respectfully
Yours Jones & Co
By John A Gaughey

Hon. Henry Dodge
Governor of
Wisconsin T.

DEPARTMENT OF STATE,

WASHINGTON, *December* 12, 1837.

To His Excellency the GOVERNOR of Wisconsin

Belmont

SIR:

Agreeably to the law for the distribution of the Acts of Congress (Act, April 20, 1818, *sec.* 6,) *the number of copies of the Acts of the First Session of the Twenty-fifth Congress, due to the State of* Wisconsin *is* 36.

These have been put up in packages, each containing thirty-six copies, and deposited in the Post Office in this City to be forwarded to you. When received, you will please inform this Department thereof.

I am, Sir,

Your obedient servant,

JOHN FORSYTH,

Secretary of State.

From the Hon
John Forsyth on the
subject of 96 acts of
Congress which received
the receipts of them to be
authenticated

20

Filed & recorded

Collector's Office
Detroit, Dec. 14th 1837

Sir:

The Collector received on the 4th Inst. from the Department of State Six Boxes of Congressional Documents to your direction with a request that the same be transmitted to you.

As Navigation is now closed between this Port and the Upper Lakes, the Collector will have to postpone the transmission of said Boxes till next Spring when they will be forwarded to you by the first Vessel going up the Lakes, or they may remain here subject to your Order.

I am, Sir, Very Respectfully
Your Obedt. Servt.,
J. F. Allen
Deputy Collector

His Excellency
Henry Dodge
Governor of Wisconsin
Mineral Point
Wisconsin

Collector, Detroit Dec 14. 1837
Informing of receipt of
3 copies of Pub. documents
to be forwarded to Governor
of Wisconsin Territory

Enclosed in: Kilbourn to Dodge
1838, Jan. 24.

Copy

Territory of Wisconsin.
Executive Department
Burlington Dec 25. 1837

Sir,

In consequence of representations made to me by members of the Legislative Assembly of the County of Milwaukee, that you do not, and will not attend to the duties of the Commission of a Justice of the Peace conferred upon you on the 5th December 1836, - I have this day revoked and determined the said Commission, by proclamation, to be filed in the office of the Clerk of the District Court for said County.

Very respectfully
Your obed. Serv.
(Sign'd) Henry Dodge

To Daniel Wells Junr Esq
Milwaukee.

Office of the House of Representatives of the United States,

December 1837.

Sir:

In obedience to an order of the House of Representatives, I have the honor to transmit you, herewith, three copies of the Journal of their proceedings, during the late session of Congress: one for each branch of the Legislature, and one for the Executive of the ~~State~~ Territory over which you preside.

I have the honor to be,

Very respectfully,

Your obedient servant,

M. L. Franklin

Clerk House of Representatives U. S.

by S. S. French

His Excellency

The Governor of

Wisconsin

[1837?]

Fellow Citizens of the Council
and House of Representatives

By a law of the state of Illinois the Legislative Assembly was convened at this place to legislate for the people of this Territory under the Organic Law of Congress creating the Territory of Wisconsin and prescribing its form of Government.

As the representatives of the People you will bring with you a knowledge of the wants and wishes of your Constituents I trust a spirit of Harmony and good feeling will govern your deliberations to enable you to proceed with that dispatch necessary in all Legislative Bodies: you will have my most cordial Co-operation in support of all measures that have for their object the Public good.

By the Organic Law of Congress the Laws of the late Territory of Michigan are in force until altered Modified or repealed there has been a great accession of Population to this Territory within the last four years from every part of the United States the State and Condition of the People has been greatly changed and the Existing Laws now in force many of them are not suited to the wants and habits of the Citizens of this Territory I recommend for your Consideration at an early day of your Session the propriety of selecting three or more Competent Persons to whom a Code of Laws to be submitted to the Action of the Legislative Assembly during this present Session.

Owing to the Business embarrassed state of the Currency in this Territory I recommend for the Consideration of the Legislative Assembly the passage of a law granting a stay of Execution for one year on all Judgments that may be obtained in the different Courts of Record in this Territory the enactment of a law to that effect would prevent the Ruin of many whose property would be liable to be sold at great loss Debts have been created when Notes of different Banks were in general circulation in this Territory By many of the most industrious and enterprizing Citizens who no doubt believed they would be able promptly to meet their engagements a forced sale of their Property under the existing Execution Laws would not only deprive the Debtor of the means of Support for himself and family but in many cases would prevent the creditor from recovering his debt

To the Last Session of the Legislative Assembly I called upon
attention to the propriety of memorializing Congress asking the extension
of the Rights of Pre-emption to the actual settlers located on the
Public Lands in this Territory I again recommend your early action
on that important subject. The industrious class of our citizens
who are occupants on the Public Lands have emigrated to this country
under the belief that their claims would be granted to them
that had been extended to others; the settlers on the Public Lands are the
pioneers of the forest who are rapidly extending the settlements of
this Territory they are alike distinguished for their industry enterprise
and attachment to the Republican institutions of this Country every
consideration of justice & humanity calls upon the Congress of the
United States to extend to the citizens of this Territory who are occupants
on the Public Lands the pre-emption privilege the loss of the
settlers on the Public Lands is not the only hardship they have
exposed alike to the dangers of savage warfare and the discom=
=forts incident to the settlement of a new Country they have built
towns now the seat of civilization and improvement where Indian wigwams
stood smoking some years ago the early settlers on the Public Lands
in this Territory have explored and opened the most valuable lead
mines that have been discovered in the United States thereby greatly enhancing
the value the national domain by which large sums have been added to
government. Land was the immediate gift of God to man and from
the earliest history of the world was designed for cultivation and improvement
and should cease to be an object of speculation speculators in the Public Lands
have purchased large tracts east of the Mississippi in this Territory which now
remain waste untilled they wait for the highest price thereby retarding the
growth and settlement of the Territory to the great injury of the actual settler
the true & prosperity of the Government would be to reduce the price of
the Public Lands and give them to the actual settler alone the Public Domain
should be sold in a short period of time Indian warfare would cease to exist the
Territory would be settled by a brave hardy race of men who would be a barrier
to Indian encroachment and then would there be no necessity of maintaining military
posts for the protection of our frontiers. Should the congress of the United States make
no provision for the occupants on the Public Land they should be deprived
of their homes either by the act of the Government or by speculators who

importance to the safety of its navigation from the increased commercial importance of the Town of Milwaukie and the location near the center of the western shore of Lake Michigan at the mouth of Milwaukie River which nature has done much towards making a safe Harbor it would seem that a just regard for the rights of the Citizens of this Territory residing on the Borders of Lake Michigan would urge the the Congress of the United States as an act of justice to make a liberal appropriation for the construction of a Harbor at this important point which is absolutely necessary for the protection of the lives and the security of the property of our enterprizing citizens engaged in the Lake trade. Large appropriations were made at the last session of Congress for the benefit of Twenty of the States of this Union for the building of Light Houses Light Boats Beacon Lights Buoys and the sum of Sixty two thousand Dollars was appropriated for the same purposes for the Territory of Florida and the small amount of Twenty two thousand Dollars appropriated for this Territory for the above purpose and that appropriation made contingent upon the report of the Navy Commissioner to the Secretary of the Treasury and from him to the Congress of the United States recommending to the Legislative assembly the propriety of agents addressing a memorial to the Congress of the United States asking an increased appropriation for the construction of Harbors and the erection of Light Houses at the mouths of the different Rivers designated in the act of Congress referred to as well the necessary improvements in the navigation of Green Bay a survey has recently been ordered by the War Department of the Fox & Rock Rivers the report of the Engineer charged with that duty has not been published for the information I have been able to obtain this report will be favorable to the improvement of both those Rivers the improvement of the navigation of the Fox River and connecting that River with the Wisconsin River by a short canal of one & one fourth miles is a subject of vital importance to the citizens of this Territory by opening a water communication between the Mississippi & Lake Michigan a communication between the Rock River and the Fox Lakes and from there to the Wisconsin River by a canal of sixteen miles in length is considered practicable with two little expense steam boats have navigated the Wisconsin River during this season to the portage of the Wisconsin & Fox Rivers without obstruction

The organizing and arming the Militia I consider a subject of the first importance to the safety

of the Territory

of the Frontier Citizens of this Territory the Militia have been formed into two Brigades two Regimental Districts and one Battalion Dismounted Volunteers have been called for the Field and Company Officers and with the exception of the one of the Regimental Districts are organized two companies of Volunteer Mounted ~~companies~~ ~~companies~~ companies of Riflemen and one of Dragoons have been formed and officered ~~officered the Regiments~~ I earnestly recommend to the Legislative Assembly the propriety of addressing a Memorial to the War Department of the Government asking a supply of Arms for the use of the Volunteer Companies now ~~organized~~ and for the Militia of the Territory I would suggest the propriety of asking for Four thousand of Arms One half Rifles and the other Muskets and in addition I would propose that two hundred Pistols and Swords should be furnished for the use of Volunteer Companies of Dragoons with the addition of Four hundred Pounds of Lead Pipes not to exceed three hundred Rounds to weight (three Pounds) or Cannon with Field Accoutrements for a Campaign of Four Months the Indians on the Frontiers of this Territory are now in a state of peace but such is the restless disposition of the Indians that it is difficult to determine when they will commence their attacks on our Frontier Inhabitants this is the reason I think it necessary my suggestions to ~~[illegible]~~ preserve the peace that now exists both there; From the great extent of the Frontiers of this Territory and the numerous Indians located on our Borders it is important to the Safety of the Frontier inhabitants that Protection should be afforded them by the Government which can only be done by having a Mounted Force stationed at some suitable point on the upper Mississippi in advance of our more exposed settlements two hundred Mounted troops under the Command of a field Officer would be sufficient to range the Country from the Mississippi to the Red Cedar and the Iowa & Des Moines Rivers this Movement of troops would be a direct check on the Indians who might be engaged in war with each other Mounted Troops ranging the Country East of the Mississippi & South of the Minnesota River till Four Company's would prevent the frequent incursions of the Indian

~~to the~~ the local and unfortunate settlements Bordering on the Territory
I recommend that a Timely Address to the War Department
requesting ~~to~~ him to Raise a Mounted Force posted in advance of
the Territory Settlements Not Early in the next Spring, as the best
Will Sustain the Honor of Mounted Troops the Indians on
the Borders of the Territory settlements Must See & feel if necessary
the Power of the Government to enforce a Strict observance
of treaties between them ~~as well as~~ ~~and~~ ~~of~~ ~~Coming in~~ the presence
of Mounted Troops will produce that dread on the Minds of the
Indians which is necessary for the growth & prosperity of this Territory
as well the safety and Security of the ~~Territory~~ Inhabitants.
~~The adjustment of~~ The Boundary Line between the State of Missouri
and this Territory has recently Become a Subject of much interest
to the Citizens residing in the Southern part of ~~this~~ Territory Wisconsin
By the act of Congress of 1820 the Limits of the State of Missouri
were defined and it was well understood by the Members of the
Convention who formed the Constitution of that State that the rapids
of the ~~Riv~~ Des Moines were the rapids on the Mississippi at the mouth
of that River known in 1820 as the Des Moines Rapids the upper
Rapids on the Mississippi were known by the name of the Rock Island
Rapids.* It is a fact well known that there are rapids and swift
running water on the Des Moines River for more than one hundred
miles ~~from~~ above its mouth the Surveyors Appointed on the part of the
State of Missouri would have it in their power to exercise their discretion
at what particular rapids to make their ~~commencement~~ Beginning
Corner.* From the ambiguous wording of the act of Congress designating
the Boundaries of the State of Missouri that State can have
no ~~right to~~ pretension to claim any part of the ~~Territory above the Mouth of~~ tract of country lying East or ~~North~~ East of the
Des Moines River. ~~There~~ It is altogether a Subject of great Interest to the Citizens
of ~~Missouri~~ our Territory residing near the Boundary line in question. It would seem
to me necessary that Commissioners on the part of the General Government
should be appointed to act with Commissioners on the part of
Missouri ~~the State~~ to define as early as possible the true Boundary between
this Territory and the State of Missouri. it would certainly be an unpleasant
state of things for the Constituted authorities of this Territory
to come in collision with those of the State of Missouri, so far as it rests with me I shall
Encroachments on the Rights of ~~the~~ our Citizens of ~~this~~ Territory will be prevented

without resistance I recommend the early action of the Legislature
assembly on this important subject they will have the security
Corporations of one other and faithful Delegate in Congress
that an Confederate bill use every exertion in her power to maintain
the rights of our Citizens

I would respectfully call the attention of the Legislative Assembly to the propriety of passing a Law for the and Erecting a County Jail in each of the organized Counties of this Territory where Jails may be required for the Safe Keeping of Prisoners who may be committed to the custody of the Sheriffs of the several Counties in this Territory the due administration of the Laws requires that Courts of Justice should have it in their power to restrain the vicious part of the community who set Laws at defiance and which cannot be done without the aid of suitable Jails for that purpose

Under By the 11th Section of the Organic Law of this Territory it is made the duty of the Legislative Assembly to apportion the representation of the several Counties to the Council & House of Representatives according to population as the time for which the Members of the House of Representatives has been Elected will expire before the next annual Meeting of the Legislative Assembly it will be necessary for the present Legislature to take this subject and pass a Law directing a Census of the inhabitants qualified voters and proceed to apportion the representation in the House of Representatives according to population and precedent this time and holding the Elections that the action of the Legislative Assembly may be required on that subject during their present Session.

Now through the the able and faithful delegate to Congress from this Territory will be enabled to use every Exertion in his power to secure for Justice done his Constituents

I would respectfully call the attention of the Legislative Assembly to the propriety of passing a Law for the Erecting & locating a County Jail for the purpose of keeping Jails in each of the organized Counties in this Territory where Jails may be required for the Safe Keeping of Prisoners who may be committed to the Sheriffs of the several Counties the due administration of the Laws requires that Courts of Justice should have it in their power to restrain the vicious part of the community who set Laws at defiance

It cannot be possible that the act of Congress above alluded to, defining the northern boundary of the State of Missouri intended to make the starting point for that boundary at any Rapids in the River Des Moines because it is a fact well known that there are Rapids and swift-running waters on the Des Moines River for more than one hundred miles above its mouth, because in 1820 there was it is believed ~~in 1820~~ no place on the Des Moines River known or designated as the Rapids of the River Des Moines, because it was the general understanding in Congress, among the members of the Convention framing the Constitution of Missouri, and among all who were acquainted at that time with the names & localities of this country, that the Rapids of the River Des Moines, meant the rapids in the Mississippi ~~examining~~ near the mouth of the river Des Moines. That this was the understanding even in 1824 is shown by the treaty made on the 4th of August of that year with the Sac and Fox tribes of Indians. In that treaty the Northern ~~boundary of the line~~ Western corner of the State of Missouri was fixed at one hundred miles due North of the mouth of the Kansas River, ~~and the direction from the mouth of the Half Breed of those tribes was bounded on the South by a line running East~~. and a purchase of all the lands which the "Sacs & Fox tribes have or claim within the limits of the State of Missouri" between the Mississippi and Missouri rivers, was limited on the North by a line drawn due East from that North

western corner to the Mississippi river, reserving however the "small tract of land" between the rivers Des Moines and Mississippi and the section of that line between those rivers for the use of the Half breeds belonging to those nations. — If it could ~~be supposed that~~ have been imagined ~~even~~ at the time of the ratification of that treaty by the Senate of the U.S. that the Northern boundary of Missouri was not fixed and known as then designated and laid down, but was to be hereafter determined ~~fixed~~ by explorers and surveyors sent to Raccoon Rapids on the River Des Moines as far North on that River as they might be found, it is hardly probable that the Senators in Congress from Missouri at that time, known to be vigilant in the discharge of their duties to their constituents ~~people~~, could have silently acquiesced in the ratification of this treaty in its present shape —

might purchase them at Public Sale to wit produce a State of things greatly to be regretted the People of this Territory in the Occupancy of the Public Lands although firmly devoted to the Republican institutions of this Country and a large Majority of them have the most entire Confidence in the wisdom and Policy of the present administration of the General Government were Satisfied to be driven from their Homes by the iron grasp of the Land Speculator Congress having for years granted the Rights of Pre-emption to the Actual Settler on the Public Lands and that Policy of the Government having Continued to exist during the Settlement of the Greater of the western States Should not now be changed

I deem it my duty to call the attention of the Legislative Assembly to the propriety of memorializing Congress asking the extension of the rights of pre-emption to all Miners who have Obtained the Possession of Mineral Grounds or Lots under the authority of the Chiefs of the United States Lead Mines in this Territory either by discovery or purchase and that Each Miner should be permitted to purchase his Mineral Lots at the Minimum Price of the Public Lands. I recommend to the Legislative Assembly the propriety of again Memorializing Congress asking them to increase the Appropriation to the Sum of two Hundred Thousand Dollars for the removal of the Obstructions at the Upper & Lower Rapids on the Upper Mississippi: it is understood the examinations of the Obstructions at these rapids had been recently made under the direction of the War Department and from the favorable report made the Government it was expected preparations would have been made to have Commenced this important work at the Low Stage of the River this Season the Appropriation heretofore made by Congress has been entirely to small considering the importance of this work the trade of the Upper Mississippi has increased greatly in importance within the last three years and from the best estimate that can be made at this time exceeds in amount three millions of Dollars annually the tolls of which passes these rapids the delay in Lighting Steam Boats to make them to pass the Rapids at a low Stage of the River and the loss of property on them is believed to be equal to 10 per Cent on the whole amount shipped it is not the Citizens of this Territory alone who are interested in the Completion of this important work the people of the State of Illinois residing on the Borders of the Upper Mississippi are equally

Internal Trade Trade Provides the whole Country on the Mississippi from St Peter to the Gulph of Mexico Large Appropriations has heretofore been made by Congress for the removal of Obstructions in the Navigation of the Different Rivers in the Western States and surely the Citizens of this Country have equal Claims on the Justice and patronage of the Government

By an act of the Congress of the United States approved March the 3d 1837 the sum of two Thousand Dollars each was appropriated for the erection of Light Houses at the Mouths of Each of the following Rivers Tributaries of Lake Michigan Milwaukee Manitowoc Chipicagan Root River and the Entrance of Fox River in Green Bay under the provisions of the act of Congress approved to be made the duty of the Navy Commissioners to report to the Secretary of the Treasury after they have caused an examination to be made for the purpose of ascertaining whether the safety of Navigation requires any additional facilities and if so what is most suitable for each place, designated the Board of Navy Commissioners are of the Opinion that the improvements are not required to facilitate the Navigation of Lake Michigan or that it is impeded from any other Error this Opinion with the facts are to be reported to Congress Engineers has heretofore been appointed under the direction of the War Department who have made Surveys at the Mouths of the Rivers mentioned for Harbors and these reports will show the practicability of this improvement and this importance and utility to the Public it is a fact well known that nearly the whole Length of Lake Michigan the Western Shore of the Lake presents a Bold Bluff Front varying from fifty to one Hundred feet in Height and to extremely dangerous to Storms owing to the Scarcity of Bays and Natural Harbors for the Safety of Vessels extensive settlements are forming on the Borders of Lake Michigan and the Shipping interest on the Lake has greatly increased within the last two years and the consequent wrecks of Vessels and Loss of lives and property, may be expected unless the construction of Harbors and the Erection of Light Houses at the Mouths of the Rivers mentioned; with the exception of the Entrance of Fox River in Green Bay this Bay is the best Natural Harbor on the Western Borders of Lake Michigan the Construction of a Pier and the establishment of a Beacon Light at Long Tail Point at the Head of the Bay as well as the Erection of Buoys to mark the Ship Channel are deemed of the first

Department of State,

Washington, January 18th 1838.

To the Governor of Wisconsin

Mineral Point

Sir:

Six packages, addressed to you, containing three sets (4 vols. each) of the Documents of the 1st Session of the 25th Congress, have, this day, been deposited in the Post Office in this City, for transmission by mail; one of which is for the Executive, and one for each branch of the Legislature. An acknowledgment of them, when received, is requested.

I have the honor to be,

Sir, your obedient servant,

John Forsyth

Mr Forsyth Secretary of State
on the subject of the Laws
of ~~Congress~~ the US when Returned
the receipt of them is to be
acknowledged

Territory of Wisconsin } 1838, Jan. 18.
Grant County } ss

Information having been Communicated to us Elisha C Boots and William H Moore two Justices of the Peace for the County aforesaid that James D Morgan Came to his death by violence on the evening of the 14th of January 1838 at the Tavern of Owen McLaughlin in the aforesaid County and the Coroner being absent proceed to summon a Jury of ~~twenty~~ twelve good and lawful Men of the neighbourhood to be and appear at the Tavern of the Said Owen McLaughlin at 1 O Clock of the of the 15th of this present January 1838 to enquire upon a View of said body how and in what manner and by whom the said James D Morgan Came to his death! Whereupon Came Samuel Davis, Elisha T Haywood William G Thompson, William G. Decker Thomas Manchester, Alfred Kibley, Sutton F Brock, Orson Lyon, Isaac Martin Benjamine Dickson, Sullen Brock, and William Methero good & lawful Men of the neighbourhood as afsd Whereupon Samuel Davis was sworn as foreman and the Other Jurors also sworn as the Law directs Whereupon the said Jury in the presence of the body of the deceased & upon View thereof proceeded to hear the Testimony: Owen McLaughlin being duly Sworn deposes & saith that James D. Morgan was at his Tavern on the Evening of January 14th 1838 in Company with William Crawley, Jacob Derick, & Lindsey Evans: That Jacob Derick was just passing out of the door & William Crawley was near the door leading into the Street & he deponent thinks said Crawley was also leaving the house. That Sd Evans had on a Cloke. That Sd Evans he thinks kept his hands under his Cloak & when Sd Evans was near the door he suddenly turned raising one hand from under his Cloak as if in the act of presenting or pointing at Sd Morgan and at the same instance he heard the report of some fire arms a pistol or gun & immediately Sd Crawley, Derick & Evans ran away

from sd Tavern - The sd deceased received three balls through the breast & in a few seconds after then upon fell or sat down upon the floor & expired without speaking

(Signed) Owen McLaughlin

Guy Casey being duly sworn deposeth & saith he was present when the deceased was shot sd Cawley and Derrick above mentioned he thinks had passed so far out the doore that neither of them sd Cawley & Derrick could have shot sd Mazza without shooting through the doore - as they sd Cawley & Derrick by opening the doore brought the doore between them & deceased that sd Evans was behind them sd Cawley & Derrick that sd Evans had on a cloak and as he came near the doore he raised his cloak & at the same instant he deponent heard the report of fire arms - that he deponent thinks the smoke of the powder rose from where sd Evans stood that sd Mazza was standing facing towards Evans - & that the deceased received three balls through the breast & fell & expired without speaking

Signed Guy Casey

Thomas Flanagan being duly sworn deposeth & saith I was present when the deceased was shot - between six & seven O clock of the Evening of January 14th 1838 that sd Cawley & Derrick had & nearly passed out of the house & sd Evans was behind wearing a Cloak: that sd Evans Cawley & Derrick had been in the house some five or ten minets before the report of the fire arms - that all the smoke of the powder was in the house - that deponents was standing behind the Counter or in the bar & he deponent thinks the smoke proceeded immediatly from where sd Evans was standing when the said deceased was shot - that deponent has never seen sd Evans wear sd cloak before that sd deceased was standing near the wall & immediatly fell

after the fire & died without speaking

(Signed) T. Flanagan

Michael Lanegan being duly sworn deposeth & says — I was standing near the fire — when Cawley Derrick & Evans came into the house — they cawled for something to drink — Sd Cawley & Derrick were before & Evans behind that Cawley & Derrick had opened the door & paused so far that the door was between Sd Cawly & Derrick, that Sd Morgan that when Evans was near the door he deponent saw Sd Evans make some motions with his right hand under the Cloak & immediatly he deponent heard the report of fire arms the smoke all proceeding from where Evans stood that immediatly Sd Cawly Derrick & Evans ran from the house & after passing down the road a few yards they Cawly & Derrick & Evans commenced yelling & hooping the Sd Morgan turned upon the report of the fire arms — & fell with his head near my feet — & died without speaking

his
Michael + Lanegan
mark

Alfred Taylor being duly sworn deposeth & says he was standing near the Counter some three feet from Sd Evans when the deceased was shot he deponent saw Evans says his hand under his Cloak at the time when the deceased was shot. the deponent thinks the weapon was fired by Sd Evans or William Cawley that Sd Cawley & Derrick had opened the door & passed so far as that the door was brought between them & the Sd Morgan he deponent saw the fire upon the explosion & knowed that the weapon was fired within the [redacted]

house - that he is confident Sd Cawley & Derrick had passed so far out of the house that it was impossible for either Sd Cawley or Derrick to see Sd Mazza at the time that the gun or pistol was fired

Signed Alonzo Fuyton

William Goodfellow being sworn deposes & says - he was present when the Sd Mazza was shot he deponent was sitting about three feet from Sd Mazza when he was shot - at the time of the report Evans was standing within one hand hold of the door facing said Mazza - he deponent was just rising apprehensive that said Evans was going to shoot - Evans held the door with his left hand - Cawley & Derrick had gone out of the house so far that he deponent could not see them when the weapon was fired - that the pistol or gun was fired in the house

William his × mark Goodfellow

Willis King being sworn deposeth & says he was standing within one foot of the said Mazza with his face towards the fire - does not know who fired said Cawley Derrick & Evans was about going out of the house when the deceased was shot that no words had passed between the Sd Mazza & either Sd Cawley Derrick or Evans that immediately after the report the three Sd Cawley Derrick & Evans left & shut the doore - Evans was the last one that left the fire place & was behind the other two Cawley & Derrick - the Sd Cawley Derrick & Evans left the house upon a run after the report of the fire arms (Signed) Willis King

Patrick Shannon being duly sworn deposeth & says Sd Mazza was sitting when the said Cawley Derrick & Evans came into the house - & upon their entering left his seat - Deponent thinks he

discovered that said Lawley Derrick & Evans looked pale & excited - Lawley & Derrick had opened the door & passed so far out that the door was between them & Morgan that Evans was behind - The deponent saw the fire of the explosion - that ~~deponent~~ neither Lawley or Derrick could have shot unless by reaching round the door that no words passed between the deceased & Lawley Derrick or Evans that Morgan appeared to understand that some thing was to be done for when Lawley Derrick & Evans entered - Evans wore a cloak & showed a desire to conceal his hands under his cloak frequently pulling his cloak around him

(Signed) Patrick Shannon

William Watson being duly sworn deposes & says he was present but does not know who shot - was standing with his back towards the said Lawley Derrick & Evans

(Signed) Wm Watson

Territory of Wisconsin }
County of Grant } ss

An inquisition taken at Van Buren within the said County before William S. Wood & Elisha E Brock two Justices of the peace within & for the County afd upon view of the body of James D. Morgan of Van Buren afd then lying dead by the oath of Samuel Davis, Elisha F. Hazwood, William G Thompson William G. Decker Thomas Manchester Alfred Kibley Lawton F Brock Orson Lyon Isaac Martin

Benjamine Dickson Lucellen Brock & William Withers good & Lawful men who being duly Sworn & Charged to enquire for the United States of America when & how & by what means the James D. Manga came to his death upon their Oaths do say that the said James D. Manga came to his death by being shot by some pistol gun or rifle which pistol gun or rifle was fired by Lindsey Evans of Van Buren afsd and that William Lawley & Jacob Derrick of Van Buren afsd aided assisted & abetted the said Evans to commit the said deed and do the sd Persons upon their oaths afsd say that the said Lindsey Evans aided abetted & assisted by said William Lawley & Jacob Derrick as afsd in manner & form afsd the aforesaid James D. Manga then & there of their malice aforesaid then and then aided abetted & assisted by said William Lawley & Jacob Derrick did kill and murder against the peace and dignity of the United States of America and the laws of this Territory (Signed)

Foreman Samuel Davis
Lastton F. Brock William G. Thompson E. J.
Haywood Orson Lyon Alfred Noble James
Martin William G. Decker William Withers
Lucellen F. Brock Benjamine Dickson Thomas
Manchester. We Certify ~~that the foregoing is the true~~
~~Inquest~~

A true Copy from the Original
Attest Jno. S. Fletcher Clk

We Certify that the foregoing is a true Verdict of the afsd Jury delivered to us by them and signed by each and every of them and We Believe that the evidence signed by each of the aforesaid Witnesses is a true Statement of all testimony taken before said Jury and that the foregoing evidence is a true statement of all other proceedings had or relating to the same

Wm L. Wood } Justices
E E Brick } of the Peace
} and acting as Coroner

Copy attest Jno. L. Hutchinson

U. S.

vs

Lindsay Evans Wm
Crawley & Lamb
Derrick

Copy of Information
and Recognizances inquisition
filed in my
Office Jany: 18th 1838
Jno. S. Fletcher clk

Enclosed: Dodge to Wells.
1837, Dec. 25.

Milwaukee W.T. Jany 24. 1838

To His Excellency Henry Dodge
Gov. Wis. Ter

Sir

I delivered on the 23rd inst your letter to Daniel Wells junr. of which the enclosed is a true copy, and on same day delivered to the clerk of the Court for this County the Proclamation therein referred to agreeably to your request –

I have the Honor to be
Your Excellency's
Most Obt Servt
Byron Kilbourn

(Private)

My Dear Sir

I embrace this opportunity to say to you that I arrived home in good health after a most tedious journey of 15 days – I had roads in every conceivable state of badness, and a large proportion of bad weather – streams running ice, though partially frozen but not enough to bear and muddy ground in sufficient quantities – I hope if in this reaching you, you will have been received into the bosom of your family in good health; and I certainly could not wish you a worse journey to arrive there than I experienced in reaching home –

Very Respectfully Yours
Byron Kilbourn

Farmington Jan the 29th 1838

To you our with respects Sir I wishing
that your would condescend to inform me
by what means I can obtain the laws
of this territory and also how the Pow.
of ferry Ligans are in as I have purchas
the claim opposit the above mentioned town
and our Judy in the town says that
he has got Ligens from your town for
20 years which if that could only be
got for one years and that throu the
County Commisioners further that
no person could obtain licens to
land a ferry on my premises as
that if I was willing to keep the ferry
myself of your own willing have
Mee with the above laws of this territory
and stat the cost of it I will indeas
it with thanks respectfully your
humble Servant S P Farrs

Please mee those
Lines
Be sure my direction as my
Scolership is Limited

Milwaukee Feb 2nd 1838

Governor Dodge

Sir you will find the commission of Hiram Ryckman inclosed in consequence of a Mistake in the first name the name is, Louis W. Ryckman I hope you will make the correction if consistant with your feelings but if you should not see fit to correct the commission will you apoint the above name as in vacation, the man is the same but we made a mistake in the name

Our people are much disapointed in the course the affair took as to the public buildings and I think will stand ready to sustain you in any course you may see fit to take to correct that unfortunate affair

I am Sir yours
Most respectfully
Alanson Sweet

To his Excellency
H Dodge

A. Sweet. July 2. 1838.

returning Commission of Hyram Ryckman by reason of mistake in the first name - it should be Louis W. Ryckman -

Revised July 16. 1838.

Napoleon Johnson Co March 1st 1838

His Excellency Henry Dodge

Your integrity and decision of character in saving us from the low-lived impositions and base intrigues of our Representatives or rather misrepresentatives in the councils of the T.T. calls forth our warmest feelings of gratitude and we have good reason to thank God if there is any that we have a frontier, more for a frontier Governor I am happy to state to you that the course you pursued in regard to the smuggling and peddling going ahead in regard to our counties and the lost Townships has met the unanimous aprobation of your fellow Citizens except interested jugglers —

The late unfortunate affray that took place at Moccow with the Indians which resulted in the death of one white, a satisfactory proof to you if the necessity of the agent being among them but I am happy to state to you that the Indians are all Quiet we have used our best endeavors to keep them so and have explained to them the nature of the white peoples Laws and that Justice will be done them they say they will kill him if the whites dont I tell them if they do they will certainly be hung that their White fathers will see Justice done to his white & Red children and that they have nothing to do with the matter a small party has started on the trail of the Sioux that killed the two Pottowattomies on the Raccoon fork of the Demoine if we can get the Old Agent out of their strong hold at Rock Island we will give you a detailed account of their proceedings from time to time if they take the crooked Road a small account of some of the proceedings of our Right-Reverend Rock Island — Junta shall be forth coming in due time

My Old fellow may you long live to preside over this Beautifull Country

Sincerely your Friend & humble Servant

His Excellency Henry Dodge

Ira Gilbert

To his Excelency

Henry Dodge Gov. W.T.y

Bloomington W.T.
Mar 24

Mineral Point

12[illegible]

His Excellency
Henry Dougs

Chicago 1 March 1838

Sir

The Inhabitants of the Township of Lisbon (neth of Milwaukee) have recently held a meeting and nominated three Gentlemen for Justices of the Peace for that Township. They intend to take a vote at the County-Election on Monday next whether the names of these Gentlemen shall be presented to your Excellency for appointment as Justices. Some few of the Citizens of that Township are now circulating a Petition in Milwaukee for the appointment of three other Gentlemen, against the wish of the large body of the People of Lisbon. I have been requested by several of the Inhabitants of that Township to write to your Excellency - inform you of the facts & request that in case such Petition is presented that you would not commission the persons recommended until you have the result of the election on Monday next.

Very respectfully
H. Crocker

Election at Belleville
complaint 1838

Henry Dodge
Governor of W.T.
Mineral Point
(or Secretary of W.T.)

Mo Rec, Lee

1838 Mar. 10.

Bellbrook Jackson Co W. T.
March 10th 1853

To His Excellency Governor Dodge

Sir permit me to submit a plain statement of the condition of the returns of our Election from the different Precincts held on the 5th Inst and with the kindness of your advice I am extremely anxious to perform my duty with regard to their reception canvass & but being at a loss I have presumed to trouble your Excellency for advice — — —

Our Sheriff made six precincts in the county they all sent in their returns of the Election The Returns from the North fork of the Magnoka were unsealed otherwise correct in which were taken 22 votes from the Precinct on Jacksonville the Returns were correct in which were taken 25 votes Bellbrook Returns also were correct 37 votes taken — The Returns from the precinct at Charleston were correct except no poll Book was sent — That from Higensport Precinct I enclose a copy also that of the South fork of the Magnoka for your inspection I would remark that they were ~~present~~ brought to the office by a Gentleman not one of the Clerks or Judges and not a naturalized Citizen I since learn who informs me that they had but one Clerk of their Election. No poll Books accompanied either of the enclosed As I am inexperienced as well as my associates (the Justices) in Territorial Elections I have the fullest assurance your Council will be given as a guide — I — after we found the returns so defective concluded to keep the canvass open nine days from Election inform those that had made wrong Returns and in the mean time get your Excellency's advice

Permit me to enquire whether we shall be Justified in receiving a Second Return from a Precinct or rather can a precinct be allowed to correct their returns after the Board of Canvassers are formed and one is found incorrect — Also Can they be admitted and the result of the Election determined by the whole returns — or must we canvass none of the precincts that do not make their returns according to Law

Your Excellency's directions with regard to this to me perplexing Subject will be gratefully Rec'd by your

Very obedient Servant J. H. Rose } Dist Clerk

Excy N. Dodge

P.S.

Please write by the Bearer of this

Waukesha
March 29th 1888

Hon A. W. Randall

Dear Sir
I propose
to take and pay for
in coin five or fifty
State bonds to be given
April 1st 1888

Respectfully
E. E. James

Mineral Point
April 7th 1838

His Excellency Henry Dodge
Governor of Wisconsin Territory

Sir

I have to inform you that Oliver C Stanton Esquire has this day has accepted of his Commission of Justice of the Peace and has qualified according to law

Very respectfully
Your ob Sr
Edward McGhery Clerk
D.C. Iowa Co W.T.

Dr Mitchell Apr. 7. 1838.

Informing of the acceptance & qualification of David G. Fenton, as Justice of Peace for Iowa County

His Excellency Henry Dodge
Governor of Wisconsin Territory

Treasury Department
April 28th 1838

Sir

I have the honor to acknowlege the receipt of your letter of April 1st, together with the accompanying documents respecting the condition of the banks in Wisconsin, and thank you for your attention in transmitting the same.

I am, Very Respectfully
Yr Obdt Servt

Levi Woodbury
Secretary of the Treasury.

His Excellcy
The Governor of Wisconsin,
Mineral Point.

from Hon. Levi Woodbury
April 28. 1838.

Detroit August 1st 1838

His Exy the Gov.
of the Territory of
Wisconsin

I am induced to write you upon the subject of the territorial laws of Michigan which I understand have been adopted in your territory with slight alterations. I have in my possession all the Revised Territorial laws and Statues of this state as they were published in 1834 the no of copies is about three hundred and I take the liberty of addressing you for information in regard to supplying the territory with them and beg your answer to the following questions. Can they supply the place of a new edition? if so is the Number sufficient? Has the government ordered a new edition? If not is there a probability that I can ~~supply~~ have the supplying of them? Gov. Mason states that he thinks it probable a new edition has not yet been ordered. An answer to the above queries at

an early opportunity will confer a favor
on Your Ex'y's Obdt. Servant
Horace Galpin Jr

Gen
Geo. Ely.
Geo. Morris

Secretary of State's Office
Detroit August 16. 1838

Sir,

By the direction of the Governor of the state, I herewith transmit, by mail, three copies of the laws passed at the last session of our Legislature. Yours Obt Servt

Randolph Manning
Sec of State

To
His Excellency
The Governor of Wisconsin Territ

Milwaukee Aug 23. 1838

Gov. Henry Dodge

Dear Sir

I take the liberty of introducing to your acquaintance my friend Mr. Noonan who will hand this to you – Mr. Noonan is about commencing the publication of a paper at Madison, and will as I believe conduct it upon principles of impartial justice in reference to the public men and measures of the Territory – He is a gentleman of good attainments, and having formerly been connected with some of the best democratic journals in this country, will, I doubt not, make his paper one of great value to this community – He seeks your friendship and patronage, and should he, in his future course, render himself worthy of them, as I feel no doubt he will, I should feel much gratification in witnessing the extension of your confidence to him.

In local matters I have little of interest to communicate, except that Dunt and his faction are endeavoring to produce and keep up an excitement against the Canal, until after the election; but if I am not greatly mistaken we will use up both him and his faction –

We will give Doty a good lift here, though we shall be much more divided than I hoped –

I am Dear Sir Very Truly Yours

Byron Kilbourn

Gov. Henry Dodge

Dodgville

Wisconsin

Fr. Mr. Crooman

1838

Treasury Department
Register's Office, September 5. 1838.

Sir,

I have the honor to request, that the usual Estimates + for the year 1839 may be prepared and transmitted to this office, as early as convenient, for the purpose of being laid (by the Secretary of the Treasury) before the Legislature of the United States, at ~~their~~ ensuing Session.

I have the honor to be,
Sir,
Your most obedient servant
A Miller
Register.

Henry Dodge Esq.
Governor of Wisconsin Terr.

+ For expenditures of Legislative Assembly

1838,

To his Excellency Henry Dodge Gov. of W.T.

The Petition of the undersigned Humbly respectfully represent to your Honor, that he was legally summoned to attend the district Court of the United States for the County of Iowa at the April Term A.D. 1838 and that during the sitting of the court at the aforesaid Term your Petitioner was sick. and confined to his Bed. Your Petitioner humbly further represent to your Honor, that in Augt. following your Petitioner was Cited at the Sept. Term of said Court to answer for his Contempt in not attending at the April Court when legally summoned thereto, and your Petitioner humbly further represent that he was again so humble, that he could not attend at the Sept. Term aforesaid and purge himself of said Contempt of Court, and that in Consequence of his second sickness he has been fined Twenty Dollars & Costs your Petitioner humbly ask your Honor, to remit the said fine and in duty bound will ever pray

~~Huff~~ White Oak Spring
W.T.

Thomas Adams

Petition of J. Cravens
for the reversal of judgment
by the Dist Court of Iowa
County against him for
a contempt of said Court
in failing to attend as a
juror

To His Excellency
Henry Dodge Gov.
of Wisconsin Territory

Pittsfield Mass. July 21st 1859

Gov Rodger.

Dear Sir.

I am under the painful necessity of informing you that on the Evening of the 19th inst. Edward Evans one of the prisoners that has convicted of breaking and stealing a large amount of specie from the United States Arsenal, broke jail. I have had three men in pursuit to be headed him to Thompson in Grant County (another individual supposed to be concerned in the matter) and have returned this evening reporting they had secured the Country very thoroughly but could find no tracks or traces of the escaping prisoner. He is an Englishman by birth, is about 5 feet 8 inches in height of florid complection, blue eyes, with light brown hair. Was at the time of leaving a pair of boots on, having under the chim his clothes I am not able to describe for he has left the clothes that he has been wearing during the winter. —

Your Obt Servt

Ezekiel Gunter U.S.M.

Pauline Arcu v. [illegible]

22

192

To His Excellency

Gov. H. Dodge

Madison

W. [illegible]

R. Pinto Mining [illegible]

Nathaniel [illegible]

[illegible]

[illegible]

[illegible]

Information by the Sheriff of Crawford County of the escape of George Evans, charged with the crime of robbery —

Proclamation issued 19th March. 1839.

New York 4 April 1839.

His Excellency Henry Dodge

Sir,

To establish a claim in one of our courts it becomes necessary to have an authenticated copy of the laws of Wisconsin relative to Interest as in force 15 Sept. 1837.

In the absence of every other means of obtaining such a copy we are compelled to trouble you. You will please have a copy drawn of the whole act if not too long or of such sections as immediately relate to that point, with a certificate that the copy recites all the sections relating to interest by the proper officer and forward by mail to us.

Any charges whatever they may be will be paid by our friend Charles S. Hempstead Esq. of Galena on whom we inclose order for that purpose

Very Respectfully
Yours &c

Clute & Meade

Clerk of Mead. N. York

April 4. 1839

Requesting authenticated copy of laws relative to Indians

Copies sent by mail

Territory of Wisconsin }
Iowa County, ss } United States District
Court Iowa County W.T.
April Term A.D. 1839

To his Excellency Henry Dodge
Governor of Wisconsin Territory

Whereas at the
September Term A.D. 1838 of this Court a
Judgement was rendered in favour of the United
States against Moses Meeker (in a process of
Attachment for Contempt in not attending as
a Grand Juror at the April Term A.D. 1838)
that the said Meeker do pay a fine of twenty
dollars with Costs and that a Capias do
issue therefor. (And it having been made
to appear to the Court here that the said
Meeker did attend at said April Term A.D.
1838 but was not called as a Grand Juror
And further that the said Meeker was not-
aware that any process of attachment had
been issued against him, or that he had any

of fraudulently of perjuring himself of his said
Defense & Contempt.

Now Therefore inasmuch as this Court cannot
give to the said Meeker any relief in this
premises, it is hereby respectfully recommended
to your Excellency to remit to said Meeker
the whole of said Judgement for fine and Costs

Witness the Honorable Charles
Dewey Chief Justice of the Supreme
Court and Presiding in Sevier County,
and the Seal of this Court this 23d
day of April A.D. 1839

Attest Edwards McGhee Clerk
S.C.S.C.

Recommendation of U. S. Dist. Court for Iowa County for remission of fine to Moses Mecker, for contempt of court, &c

1838

1839, Apr. 13.

I Moses Muker being duly sworn do depose and say that I was not summoned as a grand juror, at the April Term A.D. 1838 in the regular panell but was spoken to by the Sheriff from among the by-standers, & then recently by him, and I was present in court when the grand jury were sworn and my name was not called — I further say that no process of attachment has ever been served on me for contempt of court in not attending as a juror at said term — but John Brocken the under Sheriff called on me a short time previous to the last term of this court and ~~summoned~~ said he had not his papers with him, but that he had a summons for me either as a grand or petit juror, but he said nothing to me about any attachment, and I had no other conversation with him or any other officer in relation to serving on a jury untill I was served with a capias pro fine

Mineral Point April 13th 1839

E M Mecker

Sworn & subscribed before me this 13th day of April A.D. 1839
Edward McSherry
Clk D.C. 4th

Moses Mickes
Affidavit
in relation to fire
1839

Henry Dodge,

GOVERNOR OF THE TERRITORY OF WISCONSIN.

TO ALL WHOM THESE PRESENTS MAY COME, GREETING:

KNOW YE, That reposing special trust and confidence in the integrity and ability John S. Wilson I have appointed him an Auctioneer for the County of Dane

And I do hereby authorize and empower him to execute and fulfil the duties of that office according to law: To HAVE AND TO HOLD the said office, with all the rights, privileges, and emoluments thereunto belonging, until the end of the next session of the Legislative Assembly of said Territory, unless the Governor of the said Territory, for the time being, should think proper sooner to revoke and determine this COMMISSION.

In Testimony Whereof, I have caused the Letters to be made Patent, and the GREAT SEAL of the Territory to be hereunto affixed.

GIVEN UNDER MY HAND, at Mineral Point this 18th day of May in the year of our Lord one thousand eight hundred and thirty nine and of the Independence of the United States of America the sixty third

Henry Dodge

By the Governor.
W B Slaughter
Sec Wis. Ty.

1839 May 18

John J Wilson
Appointment
as Auctioneer & Oath
of Office

POOR CROSSING

Filed May 27th 1839
L C Ferry
Clk Co Comm

Wisconsin Territory
Dane County ss } I John J Wilson do hereby
solemnly swear in the presence of Almighty God
that I will support the Constitution
of the United States and faithfully and
impartially discharge the duties of the office
of Auctioneer according to the best of my ability
So help me God

John J Wilson

Sworn and subscribed
before me this 27th May 1839
Wm N Seymour
Justice of the Peace

Elk Horn Walworth Co
August 26th 1839

His Excellency
Henry Dodge
Sir

By request of Mr Norman Hibbard a person that was Commissioned Justice of the peace I will Inform respecting said Commission It will be necessary to inform Him that at the time he received his Commission this County (Walworth) was not Organized but no Clerk of Court for said County appointed Under a Law passed at Burlington it was necessary for every Justice of the Peace to have his Commission Recorded within 20 days after he Rec. said commission by the Clerk of Court of said County and in failing to do so was considered a Refusal to serve as such Justice In case of Hibbard there was no Clerk therefore his Commission was not Recorded being at that time Register of Deeds he offered the same to me in Recorder which I declined doing not being Clerk of Court I think he Claimed he had done some business and wishes to know if his acts are legal or whether he is intitled to a copy of the Wisconsin Statutes as such Justice

Very Respectfully Your Obt Servant
LeGrand Rockwell

Over

It would very much oblige me as Register of Deeds to have your opinion for it affects me in the discharge of my duty in the distribution of said statute in this county

Very respectfully
Your &c

Lehman O'Rourke

Wallworth County

To the Honorable Henry Dodge } Troy A August 27th 1839

Dear Sir

In Perusing the Laws as passed by our last Legislature I find it requires all Justices that were appointed previous to the the passage of the last act make oath Give bonds and send in their Commision to the County Clerk to be recorded within 20 days

On the reception of my Commission I immeadiatley ~~my~~ went to a Justice was qualified an handed in my papers to Rockwell for Recording but Learned since that he was not qualified accordingly ~~I applied to~~ I could not be recorded as there was no Clerk I advised with Esq- Graves he said If I had made Oath it was not Essentiall as to the Recording within the 20 days and now under these Circumstances as I have done some business in acknowledging Deeds I wish Your Honor would advise and show If I have done wrong and wherein and Your honor- Can Consistantly over Look my Error replace me or sanction my proceeding for I assure you if I am wrong I done it ignorantly not having guide but advise from those that were in the same State for want of Laws to guide I submit the case to your Generosity asking your favor of an answer that I and my friends mind May be relieved from the anxiety occasioned by the Error committed in consequence of there being no Clerk in our County

Your Excellencies obedient Servant

Truman Hibard

1839

Letters of
Miss Hibbard & Rockwell
relative to
Qualification of former as
Justice of the Peace in the
County of Walworth.

Rec'd & acknowledged Sept 12. 1839

Astor, Oct. 4. 1839.

Sir,

I have the pleasure to acknowledge the receipt of your Letter dated the 23d. Septr. and of the Certificate of election as Delegate enclosed therein, and beg you will accept of my thanks for the favour you have done me—

I remain Sir, very respectfully
Your obedient Servant
J. W. Stoz

Geo. Beatty Esqr
Mineral Point

STATE OF MISSOURI, EXECUTIVE DEPARTMENT,
City of Jefferson, October 20th, 1839.

TO THE HON. Henry Dodge
Governor of Wisconsin

SIR—

I have the honor this day to transmit to you a copy of a series of Resolutions, adopted by the General Assembly of the State of Missouri, on the subject of Slavery.

I am with great respect,
Your ob't. serv't.,

LILBURN W. BOGGS,
Governor of Mo.

Preamble and Resolutions respecting Slavery.

Resolved by the General Assembly of the State of Missouri: That whereas the institution of domestic slavery, as it now exists in many of the States of this confederacy, whether or not a moral or political evil, was entailed on us by our ancestors, recognized by the constitution of the United States—the paramount law of the land,—and by that same instrument, forming the solemn compact which binds these States together, entirely and alone left to be regulated by the domestic policy of the several States: and whereas the interference with that institution on the part of the citizens of other portions of the Union, among whom it may not be tolerated, is unconstitutional; a gross violation of the solemn compact subsisting between the States of the confederacy; officious, derogating from the dignity of the slave-holding States, and insulting to their sovereignty; well calculated to disturb their domestic peace, light up the torch, and plunge them amid the horrors of servile insurrection and war; disturb the friendly feeling and intercourse, which should ever subsist between the several States of the confederacy, and untimately destroy their union, peace and happiness; and whereas we have long viewed with feelings of deep regret the disposition continually fostered and promoted by the citizens of many of the States of this Union, wantonly to intermeddle with such institution, as manifested by numerous disorganizing and insurrectionary movements; and have as fondly anticipated that the evil tendency of such a course of policy must long ere this have been seen and desisted from; but in these reasonable expectations, and calculations upon the sober sense and patriotism of our eastern brethren, we have been very disagreeably disappointed; Therefore the southern and southwestern States, in these numerous and continued acts of insult to their sovereignty, are admonished in language too plain to be misunderstood, that the dreadful crisis is actually approaching, when each of them must look out means adequate to its own protection, poise itself upon its reserved rights, and prepare for defending its domestic institutions from wanton invasion, whether from foreign or domestic enemies, "peaceably if they can, forcibly, if they must:"

1. *Resolved*, That since the Constitution of the United States has no where deprived the States from regulating domestic slavery, that institution therefore is plainly and expressly left to the regulation and control of their domestic policy, and forms one among the most important features of their reserved rights.

2. *Resolved*, That the interference with such institution, on the part of the citizens of other portions of the Union where it does not exist, is in direct contravention of the constitution of the United States and of the solemn compact subsisting between the members of the confederacy, derogatory from the dignity of the slave holding States, grossly insulting to their sovereignty and ultimately tending to destroy the union, peace and happiness of these confederated States.

3. *Resolved*, That we approve the course of our Representatives in the Congress of the United States, for their able and manly defence of the domestic institutions of the Southern and Southwestern States, and for their uncompromising opposition to the wanton encroachments now attempting to be made upon them.

4. *Resolved*, That we view the active agents in this country in their nefarious schemes to subvert the fundamental principles of this government, in no other light than as the mere tools of a set of arch machinators, who envy the prosperity of these confederated States, and desire to effect by management, what they cannot do through force of arms—the destruction of our domestic peace and the reign of equal laws.

5 *Resolved*, That we can see in these numerous acts of aggression and interference with the domestic institutions of the southern and southwestern States, nothing but wanton invasion of their reserved rights, and contemptuous insult to their dignity as sovereign and independent States; and that they have no other safe alternative left them but to adopt some efficient policy by which their domestic institutions may be protected and their peace, happiness and prosperity secured.

6. *Resolved*, That copies of this preamble and these resolutions be printed, and that the Governor be requested to transmit a copy of them to the Governor of each of the States of this Union, and one to each of the members in the Congress of the United States.

Approved Feb. 12, 1839.

Missouri Resolutions
on the subject of Slavery

539

[1839?]

Buffalo, State of New York

Sir,

I regret our not being personally acquainted as it might have facilitated my present request. Allow me however to state my wishes and hope that your liberal policy may dictate a favorable answer,

Certain religious dissentiers in Prussia, have resulted in creating a breach of harmony between the Emperor and his subjects. the only method open for the oppressed to escape persecution is emigration, such a course has been adopted by One thousand persons consisting say Two hundred families, partly capitalists and partly otherwise, they having been consigned to me I propose placing them in Wisconsin Territory provided you are favorably inclined towards them, they are possessed of $200.000 say Two hundred thousand dollars in specie, this sum is to be used for the good of all, the rich receiving in labour for money advanced.; this plan of mutual assistance will ultimately produce a rich, and

happy

happy settlement, and that they may have the full benefit of their funds to build, fence stock & cultivate their farms, I beg to solicit a grant of Land on the borders of, or near into Lake Michigan, situated in the country between Milwaukie & Chicago, for instance near Racine or any other intermediate landing; and that you award unto them five years Credit in paying their lands; charging them the regular government value.

The recovery of the present party within your Territory will be the means of bringing you much wealth & many settlers yearly hereafter, as the Winter is approaching it will be necessary for me to make early provision for their comfort, and for the sake of the religion which has caused so many people to leave their happy homes to sojourn in a new land I hey that you will favor me with an immediate answer,

And am Respectfully
Your Excellency's
Most obt. Serv.
Wm A. Thomson

His Excellency the Governor
of Wisconsin Territory

[183-]

The undersigned Commissioners appointed by the Legislative Assembly of Wisconsin to superintend the erection of the Public Buildings at Madison have elected and do hereby elect James D. Doty to be Treasurer —

John F. Gwill

J D Doty

Post Office Department
Appointment Office
15th January 1840

Sir.

I am authorised by the Postmaster General to acknowledge the receipt of your letter of the 17th Ult., and to inform you that there are no charges on file in this Office against the moral or political character of N. H. Hyer, late Postmaster at Jefferson.

In a petition signed by forty eight persons it was represented to this Department that Mr. Hyer intended shortly to remove from Jefferson, and would probably tender his resignation; that he very seldom attended to the mails in person; that he was generally absent from thirty to two hundred miles from the Office; that the duties of the Office were sometimes performed by unauthorised persons, and that the citizens interested in the Office desired a change of Postmaster. Similar representations

were also made in two letters from individuals believed to be entitled to the confidence of the Department.

It became necessary to change the name of the office, to enable the Department to establish another Office by the name of Jefferson, at the seat of Justice for the county. It was therefore changed to Aztalan, and James Payne appointed Postmaster thereof, on the 31st July last.

Please to do me the favor to communicate the contents of this letter to Mr. Hyer.

I have the honor to be
Very respectfully
Your Obt. Svt.
Rob Johnston
2nd. Asst. P.M. Genl.

Hon Henry Dodge
Madison
Wis. Ty.

To His Excellency Henry Dodge

Sir

New York

1 April 1840

1840 Apr. 1

Will you be so good as to furnish me for the Secretary of the Treasury a certificate that the bond required to be executed to yourself by Legislative Resolutions creating me fiscal agent &c has been placed in your hands agreeably to the terms of those Resolutions? Have the honor to be

Very Respectfully
Your obt Svt
Samuel R Knapp

Saml. B. Knapp. 11. Apr. 1840
relative to approval of bond

Manuel Ruiz

In the Circuit Court Study

1840, June.

To His Excellency

Henry Dodge &c &c

General Anti-Slavery Convention called by the Committee of the British and Foreign Anti Slavery Society; held in London on the 12th June 1840, and continued by Adjournments to the 23rd of the same month.

The following Resolutions were passed unanimously

That this Convention has heard with deep regret and sorrow of the extent to which the internal slave trade is carried on from the older to the more newly settled Slave States of the American Union to the extent of upwards of 60000 victims annually to this unrighteous traffic. —

That in expressing their detestation of this traffic and in acknowledging that it excites their deep surprize and abhorrence that it should be protected and cherished by a Nation which has abolished the African Slave Trade and declared it to be piracy; this Convention is impressed with the conviction that such a systematic trade in man, must be attended with excessive cruelty and wrong to the objects of it;

and involves in its prosecution a fearful extent of barbarity and hardness of heart on the part of the Man traver, and that effectual means ought to be forthwith taken in the United States of America to remove this stain from the character of that Nation

On behalf of the Convention.
Thomas Clarkson
President

A true Copy
I. H. Friedgold
Secretary.

Resolutions abt.
Slavery

1850

DEPARTMENT OF STATE,

WASHINGTON, Sept. 10th 1840

To his Excellency the Governor of Wisconsin

Sir:

Agreeably to the law for the distribution of the Acts of Congress, (Act, April 20, 1818, sec. 6,) the number of copies of the Acts of the first *Session of the* ~~twenty sixth~~ *Congress, due to the State of* Wisconsin *is* 36 — 4 Packages

These have been put up in packages, each containing Nine Copies *and deposited in the Post Office in this City to be forwarded to you. When received, you will please inform this Department thereof.*

I am, Sir,

Your obedient servant,

John Forsyth

Treasury Department
Octob.r 28th 1840.

Sir,

I have the honor to inform you, that a Warrant has, this day, issued in favor of Samuel B. Knapp, Esq. Fiscal Agent of the Legislative Assembly of Wisconsin Territory for the sum of $19,269.38 upon an adjusted account by the 1st Auditor of the Treasury, for the expenses of said Legislative Assembly, compensation & mileage of Members &c. This amount is directed to be sent to the care of yourself & I will thank you to have it safely delivered to Mr. Knapp. You will receive it from the Treasurer of the U.S. as soon as the Warrant shall have passed the usual forms of business.

Very Respectfully Sir,
Your obt. Svt.

Levi Woodbury
Secretary of the Treasury

Hon.ble
Henry Dodge
Governor of the Territory
of Wisconsin.
Mineral Point Wis. Territory

Secretary of Treasury
Oct. 28. 1840
In relation to accounts
of Saml. B. Knapp. Pis. Agt.

[1840?]

The Constitution provides (Art 4 sec 25) that all stationery required for the use of the State, and all printing required by them to be done for their use, or that of the State shall be let by contract to the lowest bidder &c

In order, properly to comprehend the sense in which this provision is to be received, we must if possible glean the exact intention of the framers of the Constitution.

By reference to the Journal of the Convention of 1847-8 (page 34) I find, that Mr. Larrabee submitted an instruction to the Committee on Legislative provisions &c to enquire into the expediency, of incorporating into the legislative article, a provision on the subject of fuel, stationary, copying, printing, binding and distributing the laws and journals, and all other printing ordered by the legislature. The Legislative Com: made a report without incorporating the aforesaid provision, and Mr. Judd from the same Com: made a minority report on the subject, accompanied by a section to be added (vide page 119) At a subsequent time, when this article was under debate, Mr. Judd moved the insertion (as a section of the article) of the provision reported by him, which was carried and this provision now stands as Section 25. There seems to have been but little debate upon the subject, and yet who does not know the causes, which induced the incorporating of such a provision in the Constitution? The annoying pertinacity, with which certain persons, connected with "the Press" at Madison, had obtruded their own mere private bickerings and strivings to obtain the public patronage or printing for the Legislature, upon the attention of Members, had become so much of a public grievance and a source of so much trouble, that in order to rid the public of the grievance in future, the provision was submitted. But the instructions

given and the section incorporated in the Constitution differ very widely. The latter only included stationery and printing required for the Legislature and the State while the former includes fuel, stationery, copying printing, binding and distributing the laws and journals; and all other printing ordered by the Legislature

Now, it is very evident that the original proposition was pruned and restricted, by Mr. Ludd, to such stationery and printing as might be required by the Legislature and the State, and the providing of fuel, the copying, binding and distributing of the laws and journals, were not meant or included.

The Constitution (Art. 7 Sec. 21) also provides for the speedy publication of all the statute laws and decisions of Courts within the State, which may be deemed expedient to publish. It is from this last section that the Legislature derive their authority to make provision for publishing the Statutes and reports of judicial decisions, but this section does not direct in what way this publication is to be made - it leaves it altogether subject to the legislature. This publication might be by written copies of the laws furnished to the several officers, or it might be in any other manner by which a general knowledge of the laws could be circulated, and yet if such a course were pursued it could not be called a violation of any existing contract for the printing for the use of the Legislature or State. As bill might the printer claim, that if the Governors Secretary thought proper to write with a pen upon parchment, the several Commissions issued by the Executive to inferior Officers, it would be a violation of his contract, because he would

not obtain the printing of these Commissions and would thereby be precluded from charging for so much printing. And yet we all know that such a course might be pursued, without an infraction of the Constitution or any existing contract.

* There is a well defined boundary between the respective duties of a Governor and a Legislature. The former cannot originate or make laws, however needful he may deem them, nor can he compel the latter to enact any particular code however it may be required by the Constitution or urged by sound policy. It is true, he has the power to restrain improper or unconstitutional provisions when he is clearly of opinion, that the law is in conflict with the Constitution, or when he entertains a well grounded doubt as to its propriety. On the question of Constitutionality it is never deemed his province, to interpose a veto ~~unless~~ merely from a doubt existing in his own mind - in such a case it is becoming, to permit the ascertained opinion of the Legislature to prevail over the single doubt of the Executive, and leave the question to be resolved by the Courts.

But in a case where the sound policy of a law is not recognized by the Executive, he may, if he thinks proper as a component part of the law making power elected by the people and he is presumed to know the popular will, call upon the Legislature to reexamine their act: and yet the exercise of this right, is sometimes unwelcome.

In view of the Constitutional provisions above adverted to, the question arises, whether the Legislature possessed the power to provide for the

* Pardon me, Gentlemen, for thus transgressing upon your time. I have simply to say, that I have no wish to be wearisome, but I felt it my duty to express my views on this subject.

publication of the Statutes, or the manner in which such provision is made in Chap. 154?

Now, it was perfectly competent for them to require that the Statutes should be published in any manner that was deemed most desirable, as it regarded the form, size, or materials, and to ensure the general dissemination of their contents. And if they considered it expedient that the Statutes should be printed, with a peculiar kind of type, or a particular kind of paper & bound in any specified manner, they unquestionably had the power to require them to be so executed.

But, if such a description of printing was not, and could not be considered to be, within the contract made with the State printer, then it could not be deemed a violation of his contract. It appears from Chap 5 of the Revised Statutes, that certain provisions have been made for the printing and publishing of the session laws, and it is evident that such printing as is there provided for is "for the use of the State" and is deemed by the legislature as properly within the State printers contract. But the publishing of the Revised Statutes is carefully excluded from the operation of that Chapter. (vide sec 9)

The legislature thought it necessary, that the Statutes should be printed and bound in such a manner as ~~to preclude~~ would preclude their being furnished by the State printer within 60 days after the adjournment, and a large portion of the work such as binding in calf, and making marginal notes and index would not have been within the printers contract, so that for such portions of the work, if he

received any compensation (and that he would at least claim a compensation there is little doubt.) it would be an arbitrary amount, subject to the will of the legislature, and the contract, pro tanto, would not be given "to the lowest bidder". If, indeed, the State Printer could compel or coerce the legislature to enact, that the Revised Statutes should be printed and published in such a manner, that the whole work would clearly come within the operation of his contract, then it might be said that none but the public printer could perform the work even if they had thought it expedient to name any other person. But the truth is, the legislature took the only legitimate view of the question which could be taken:- They concluded that by the constitution they were required to provide, that all stationery and printing for their use and that of the State should be let to the lowest bidder, and they did so provide; but they did not believe that the Constitution contemplated anything more, than what is deemed incidental to the business of legislation and the wants of the different departments of government. The word "State" as used in Sec 25 Art 4 is not to be used in its broadest sense as implying the people or inhabitants; neither is it to be considered as including the various subordinate officers created by the Constitution and laws. Its real import is, the departments of the government such as the Executive, the department of State, the Treasury and Atty Generals

offices. All printing and stationery for the use of these several departments, are clearly covered by the constitution, as is also the printing of the laws and journals by Chap 5 of the Revised Statutes.

But a careful examination of Chap 154 will show, that the legislature have not violated the constitution — they have not ordered any printing to be done for the use of the State. They have granted a copy right to a publisher,* and at the same time restricted him as to price. Now this person ~~might~~ if he thought proper might have employed the State printer or any other person to perform the printing and the State would have had no concern in the matter. It mattered not whether he produced a stereotyped edition or not — he was secured in a copy right for two years, and if the Governor approved of the work and not otherwise he was empowered to accept four thousand copies at a stipulated price. Here is no contract for printing for the State, but an article is purchased for the use of the State, in the preparation of which printing forms a part of the labour. Such printing was not done for the legislature or the State, — they were in no way responsible for it, but when the printer, the bookbinder, and the several ~~persons~~ artisans employed in producing the book, had each performed his portion of the work, then it, as a production, was the thing for which the legislature contracted. Suppose a

*Expenses of printing were brought afterwards in an unnecessary manner to the office in a certain case, but it was decided! — Important with the office.

future Legislature should deem it proper to purchase, or contract with any publishing house in the east for, 4000 copies of "The Madison papers" "Storys Conflict of Laws" "the Federalist" or any other work, considered essential to the library of a Judge or Justice, and should enact that every Officer of the State should be furnished with a copy, would any sane mind conclude that the State Printer could claim the right to print all these copies, by virtue of his contract, and because in the furnishing of these copies for the use of the State printing was necessary

It would be absurd to assume that the framers of the Constn. (in Sec 21. Art 7.) contemplated any other mode of "publication", than the ordinary one of printing in books, because the manner before adverted to by way of illustration, has long since been superceded by the art of printing; ~~and the general dissemination of knowledge~~, is more adequate to the end. Yet if the ~~Legislature~~ framers of the Constn. had desired to confine the work of publishing of these decisions and laws, to the printer for the Legislature; they could have very easily used language to that effect, leaving no room for cavil or latitude of construction; and not having done so, it is a legitimate inference that they did not intend to limit the Legislature, but left them to the use of any means by which the object might, in their judgment, be best attained. In this connection the language of a learned writer (collating from the case of Anderson vs Dunn 6 Wheaton 226-7) is

deemed applicable. "In the practical application of government the public functionaries must be left at liberty to exercise the powers with which the people by the Constitution and laws have entrusted them. They must have a wide discretion as to the choice of means, and the only limitation upon that discretion would seem to be, that the means are appropriate to the end. And this must naturally admit of considerable latitude, for the relation between the action and the end is not always so direct and palpable as to strike the eye of every observer. If the end be legitimate and within the scope of the Constitution, all the means which are appropriate, and which are plainly adapted to that end, and which are not prohibited may be constitutionally employed to carry it into effect" Again "If the means are within the reach of the power, no other department can enquire into the policy or convenience of the use of them" See also, 1 Story's Comm: Sec: 430. 431. 4 Wheat 400-417. Now I assume that the Legislature when empowered to provide for publishing the laws and decisions were neither directly nor by implication prohibited the use of any means - that the provisions of Chap 174 are adequate to the end and within the reach of the power (to wit the Legislature) and therefore, those means being adopted by the People by their representatives left no room for the Executive arbitrarily to enquire into the policy or convenience of the means which they provided

That it would have been more consonant to the ~~phrase~~ spirit of the Constitution to have provided the manner in which the Statutes were to be prepared and published and then submitted the performance of the work to the competition of all persons desirous to bid for the contract no person can deny, but this was a question for the Legislature to determine and I can not conceive that the Executive should in any way interfere with their decision, even although he should entertain a doubt as to the sound policy of that decision *

(* See Page 3)

From these views, it does not appear to me that the Act granting a copy right to publish the Statutes or the kindred Act to publish the Supreme Court Reports can be deemed in conflict with the Constitution, nor was it incumbent on the Executive to interpose a veto, to thwart the ascertained will of the Legislature but from the commonly accredited means resorted to by certain individuals (to be interested in the work) to procure the passage of the law, it must be acknowledged that the use of "the one-man power" in this case would have been a very highly commendable exercise of a very delicate power.

1841, Jan. 9.

A Copy

Received Madison January 9, 1841
of Samuel D. Knapp Fiscal Agent of
the Legislative Assembly fifty dollars in part
payment of several appropriations to me for
printing &c, as per act of Legislative
Assembly approved August 14, 1840
Signed in duplicates

Norman C. Sholes
Editors Wisconsin Enquirer

Indorsed on the back as follows
"3 Norman & Sholes $50."

A Copy

$100

Territory of Wisconsin
Madison 1840

Received of Samuel D. Knapp
Fiscal Agent of the Legislative Assembly of
Wisconsin Territory, One hundred dollars
in full of an appropriation to me by an
act of appropriation of the Legislative
Assembly, approved August 14, the 1840
Signed S. A. Brownell
Editor Wisconsin Enquirer

Indorsed on the back as follows
S. A. Norman $100

Territory of Wisconsin
Madison Aug 16. 1840

$50

Received of Samuel B Knapp Fiscal Agent, Fifty dollars in part of an appropriation to me by an act of appropriation of the Legislative Assembly, approved August 14th 1840

Signed Norman & Sholes
Editors of Wisconsin Enquirer

Endorsed on the back as follows, "2 Norman & Sholes $50"

Received Sept 23. 1840

$470

Received of William B. Slaughter Esq. Secretary of the Wisconsin Territory four hundred and seventy dollars on account of appropriation made to me by the Legislative Assembly of the Territory, per appropriation act approved Aug 14. 1840

Signed Norman & Sholes
Editors of Wisconsin Enquirer

on the back in the following endorsement,
"D. No 24 Norman & Sholes $470.00"

The foregoing are copies of approved vouchers on file in the U. S. Treasury Department at Washington, in the accounts of Samuel B. Knapp & Wm B. Slaughter

Geo P. Delaplaine
Agent to settle claims
for the State of Wisconsin

Memorandum
Total amt. approximated to Wisconsin Engineers, per act Aug 14, 1846. — $ 892.87
Amt rec'd from this business appears of Territory as per other foregoing vouchers — 670.00
Amt unpaid — — — $ 222.87

Copies of Thomas H. Stokes
Receipts & Endorsements
by Geo. R. Delapleine,

1840 & 1841.

A copy

1841, Jan. 9

Received Madison January 9th 1841 of Samuel R Knapp Fiscal agent of the Legislative Assembly fifty dollars in part payment of several appropriations due for printing &c. as per act of Legislative Assembly approved August 14. 1840

Signed in duplicate Noonan & Holes
Editors of Wisconsin Enquirer

Endorsed on the back as follows
"8 Noonan & Holes $50

A copy

$100

Territory of Wisconsin
Madison 1840

Received of Samuel R Knapp Fiscal Agent of the Legislative Assembly of Wisconsin Territory, One hundred dollars in full of an appropriation to me by an act of appropriation of the Legislative Assembly approved August 14th 1840

Signed I. A Noonan
Editor Wisconsin Enquirer

Endorsed on the back as follows
I. A. Noonan $100

Territory of Wisconsin
Madison Aug 16 1840

$50

Received of Samuel R Knapp Fiscal Agent, Fifty dollars in part of an appropriation to me by an act of appropriation of the Legislative Assembly, approved August 14 th 1840 (Signed)

Norman & Sholes
Editors of Wisconsin Enquirer

Endorsed on the back as follows
"2. Norman & Sholes $50

$470

Madison Sept 23 1840

Recd of Leon Slaughter Esq Secretary of Wisconsin Territory four hundred and seventy dollars, on account of appropriation made to us by the Legislative Assembly of the Territory, per appropriation act approved August 14 th 1840

Signed Norman & Sholes
Editors of Wisconsin Enquirer"

On the back is the following
endorsement "D No 24. Norman & Sholes $470 00"

The foregoing are copies of original vouchers on file in the U.S. Treasury Department at Washington, in the accounts of Samuel P. Knapp & Wm B Slaughter

Geo P. Delaplaine
Agent to settle claims
for the State of Wisconsin

Memorandum

Total Amount appropriated to Wisconsin Engineer by act Aug 14. 1840 — $892.87

Copies of Norman & Sparles
Receipts, by Claplaine.

1840 & 1841.

No. 1

TERRITORY OF WISCONSIN,

Madison, Feb. 19th 1841.

In pursuance of an act of the Legislative Assembly, entitled "An Act to provide for the payment of the expenses of the Legislative Assembly, and for other purposes," approved February 13th, 1841, it is hereby certified, in the name of the Territory of Wisconsin, that Josiah A. Noonan Editor of the Wisconsin Enquirer has this day executed and delivered to me, duplicate receipts for the sum of Four hundred & Eighty two dollars and Eleven & One half cents, being the amount of an appropriation made to him by an act of the Legislative Assembly of Wisconsin, approved ~~February 10th~~ August 14th 1840, and that there is due from the Territory of Wisconsin to the said Josiah A. Noonan for his order the sum of One hundred & Fifty dollars ~~and~~ cents, being a part of the amount appropriated to him by said act, approved ~~February 10th~~ August 14th, 1840, for printing done per Order of the Legislative Assembly including the printing of the Journals of the House of Representatives which said sum is bearing an interest of ten per cent. per annum from this date.

Francis J. Dunn
Secretary of Wisconsin
(Secretary)

No. 2

TERRITORY OF WISCONSIN,

Madison, Feb. 19th 1841.

In pursuance of an act of the Legislative Assembly, entitled "An Act to provide for the payment of the expenses of the Legislative Assembly, and for other purposes" approved February 13th, 1841, it is hereby certified, in the name of the Territory of Wisconsin, that Josiah A Noonan Editor of the Wisconsin Enquirer has this day executed and delivered to me, duplicate receipts for the sum of Seven Hundred & Eighty two dollars and Eleven & One fourth cents, being the amount of an appropriation made to him by an act of the Legislative Assembly of Wisconsin, approved ~~February 9th~~ August 14th 1840; and that there is due from the Territory of Wisconsin to the said Josiah A Noonan or his order, the sum of Six hundred & Thirty two dollars and Eleven & One fourth cents, being part the amount appropriated to him by said act, approved ~~February 9th~~ August 14th, 1840, for Printing done for Order of the Legislative Assembly including the Printing of the Journals of the House of Representatives

which said sum is bearing an interest of ten per cent. per annum from this date.

Francis J Dunn
Secretary of Wisconsin
Territory

432
304

Principal 150
Interest 65.25
$215.25

Cancelled this 25th day of June 1845
by Warrants drawn upon the treasury of
the Territory for the above sum of Two
hundred fifteen 25/100 dollars

Wm P. Clapham
Auditor
W.T.

Issued to Thomas G. Pinto

Bal due including
Principal & Interest. $533.92

J. J. Monroe
$632.11½ -
300.10
$332.01½

Pay to
Geo. P. Ogden
Auditor
W. T.

Cancelled this 27th day of June
1845 by warrants drawn upon the
Treasury of the Territory for the above
sum of Five hundred thirty three 92/100 Dols

Geo. P. Ogden
Auditor
W. T.

No. 1

Territory of Wisconsin
Madison Feby 19. 1841

To

I hereby certify that an act of the Legislative Assembly entitled "An act to provide for the payment of the expenses of the legislature of this territory" and for other purposes approved February 13th 1841. it is hereby certified in the name of the Territory of Wisconsin, that Josiah A. Noonan Editor of the Wisconsin Enquirer, has duly presented and delivered to the Auditor accounts for the sum of seven hundred & forty two dollars and sixty cents being the amount of an appropriation made to him by an act of the Legislative Assembly of Wisconsin approved March 14th 1840, and that sum is due from the Territory of Wisconsin to the said Josiah A. Noonan or his order the sum of one hundred & forty dollars being a part of the amount appropriated to him by said act, approved Mar 14 1840 for printing done, in order of the Legislative Assembly including the printing of the Journals of the House of Representatives, which said accounts have an interest after the rate of ten per cent from this date

Francis J. Dunn
Territory of Wisconsin

Principal $ 150
Interest 65.25
$ 215.25

6

Cancelled this 25th day of June 1845 by Warrants drawn upon the Treasurer of the Territory for the above sum of Two hundred fifteen 25/100 Dollars

Geo. P. Delaplaine
Auditor

STATE OF WISCONSIN.

Secretary's Office, ss.

I, ALEXANDER T. GRAY, Secretary of State, of the State of Wisconsin, do hereby certify that I have compared the paper hereto attached with the original on file

in this Office, and that the same is a true copy thereof, and of the endorsements thereon

In Witness Whereof, I have hereunto set my hand and affixed the Great Seal of the State, at the Capital in Madison, this Second day of June 1854

Alexander T. Gray

Secretary of State.

By John H. Hunt Asst

Certified copy of Bond,
its endorsements &c, Cancelled
by Territorial Auditor.

"

1845.

No. 2

Territory of Wisconsin
Madison Feb 19th 1844

In pursuance of an act of the Legislative Assembly entitled "An act to provide for the payment of the expenses of the Legislative Assembly and for other purposes" approved February 13, 1844 it is hereby certified, in the name of the Territory of Wisconsin that Erastus A Brown Editor of the Wisconsin Enquirer has this day executed and delivered to me, duplicate vouchers for the sum of seven hundred & Eighty two dollars and eleven and one half cents being the amount of an appropriation made thereby by an act of the Legislative Assembly of Wisconsin approved August 14, 1840 and that there is due from the Territory of Wisconsin to the said Erastus A Brown or his order, the sum of his account of eighty two dollars & eleven & one half cents, being a part of the amount appropriated & due by said act approved August 14, 1840 for printing done by order of the Legislative Assembly including the printing of the Journals of the House of Representatives — which said sum is bearing an interest after ten per centum from this date

Signed, Francis J. Dunn
Secretary of Wisconsin
Territory

Pensioner evidently
Principal & witness H 53392

Sworn to before me this 11 day of Sept 1892
Pay order to Martha E. Hartman
Martha E. Hartman
Martha E. Hartman (Widow) Attorney
Martha E. Hartman Proof that claimant
Martha E. Hartman died leaving
Martha E. Hartman a widow
for the claimant M. F. Hartman

Enlisted - ~~Stars~~ 20th day of June
1845 by Payments drawn upon the
Pension ~~of the~~ history for the above
sum of Two hundred, dollars and 92/100
three

G. W. P. Delaplaine
Auditor

STATE OF WISCONSIN.

Secretary's Office, ss.

I, ALEXANDER T. GRAY, Secretary of State, of the State of Wisconsin, do hereby certify that I have compared the paper hereto attached with the original on file in this Office, and that the same is a true copy thereof, and of the endorsements thereon

In Witness Whereof, I have hereunto set my hand and affixed the Great Seal of the State, at the Capitol in Madison, this Second day of June 185[illegible]

Alexander T. Gray

Secretary of State.

By Assistant [illegible]

Certified Copy of Bond,
its endorsements &c. Can=
=celled by Territorial Auditor,

1845.

No 3

Territory of Wisconsin }
Madison July 31st 1841 }

In pursuance of an act of the Legislative Assembly entitled an act provide for the payment of the expenses of the Legislative Assembly and for other purposes approved August 14th 1840

It is hereby certified in the name of the Territory of Wisconsin that W. W. Wyman has this day executed and delivered to me duplicate receipts for the sum of Fifty Dollars

being the amount of an appropriation made to him in part by an act of the Legislative Assembly of Wisconsin approved August 14th 1840

and there is due from the Territory of Wisconsin to the said W. Wyman or his order the sum of Fifty Dollars

being part of the amount appropriated to said Wyman by said act approved as aforesaid which said sum is bearing an interest of Ten per cent per annum from this date

A P Fields
Sec of the Territory
of Wisconsin

Francis J. Dunn

Pay to the ~~Philip Morris~~

July 21st 1891

W. M. Wyman

Francis J. Dunn

Enclosed in: Resolutions, Letcher to Doty 1842, Jan. 14.

1842, Jan. 14.

Resolutions concerning the Soldiers of the Revolution.

WHEREAS, the period is not distant, when the last of the soldiers of the ever glorious Revolution which brought liberty and independence to our Heaven favored America, will have descended to the tomb of the free and the brave: And, whereas, suitably to mark the event when it shall have transpired, as an era in the history of the country, by a national solemnization in memory and honor of the venerated patriot band, will become the mournful, yet pleasing and greatful task of the whole American people—Therefore,

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That our Senators and Representatives in Congress be requested to introduce and procure the adoption of resolutions by that body, 1st, requiring the Secretary of War to take requisite steps to ascertain the number, names and residences of all the surviving soldiers of the Revolution of whatever rank; to enquire after, and note the time of their decease; and when the last individual of the number shall have passed away from amongst us, to report the fact to the President of the United States; and 2d, requesting the President, thereupon, to issue his proclamation fixing a day, and prescribing the manner in which a grateful people may do honor to the memory and character of the immortal heroes and patriots, collectively, by whose toils and valor the boon of freedom is inherited.

2. *Resolved*, That copies of this preamble and resolutions be transmitted by the Governor, to the President of the United States, the Governors of the several States and Territories, and our Senators and Representatives in Congress.

C. S. MOREHEAD, *Speaker of the House of Representatives.*

MANLIUS V. THOMSON, *Speaker of the Senate.*

APPROVED, 14th JANUARY, 1842,

R. P. LETCHER.

By the Governor,

JAMES HARLAN, *Secretary of State.*

Enclosed in: Letcher to Doty
1842, Jan. 14.

1842, Jan. 14.

Preamble and Resolutions concerning the Repudiation of State Debts.

WHEREAS, the question of the repudiation of State debts has recently been entertained, to some extent, in different sections of the Union, and has become a subject of discussion in the public journals; *And whereas*, By reason thereof, the credit of States, even those in which the idea of the repudiation of debts is, itself, discountenanced and repudiated, may suffer unjustly in the estimation of the citizens of foreign nations, with which this country holds relations of amity and extensive commercial intercourse—whose continued confidence it should be our pride, as it is our duty, as a free and independent State, to maintain—Therefore,

1*st*. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That it is the high and sacred duty of a sovereign State to observe the obligations of good faith in all her engagements, not only with her own citizens, but equally and alike with those of other States and countries.

2*d*. *Resolved*, That the desperate expedient of throwing off State obligations in any case, by failing to provide, as far as possible, for the prompt payment of public debts and habilities, contracted under the authority of law, is abhorrent both to the government and the people of this Commonwealth, and can never, directly or indirectly, receive the countenance of either: that such conduct would be unworthy the enlightened age in which we live, shocking to the sense of christendom, a lasting reproach to republican government, and a stain on the American name.

3*d*. *Resolved*, That copies of the foregoing preamble and resolutions be transmitted by the Governor to the President of the United States, the Executives of the several States, and our Senators and Representatives in Congress.

C. S. MOREHEAD, *Speaker of the House of Representatives.*

MANLIUS V. THOMSON, *Speaker of the Senate.*

APPROVED, 14th JANUARY, 1842,

R. P. LETCHER.

By the Governor,

JAMES HARLAN, *Secretary of State.*

1842
Kentucky - Resolution
rel to Repudiation
by State debts
Doc. Cabs, 1842

Enclosed: Preamble & Resolutions.
1842, Jan. 14.

COMMONWEALTH OF KENTUCKY.

EXECUTIVE DEPARTMENT,
Frankfort, January 14th, 1842.

SIR,

I have the honor to enclose to you, a copy of a "Preamble and Resolutions concerning the repudiation of State debts," passed unanimously by both Houses of the General Assembly of the Commonwealth of Kentucky

I have the honor to be,

Very respectfully,

Your obedient servant,

R P Letcher

To
His Excellency
The Governor of
Wisconsin Territory

Enclosed: Resolutions.
1842, Jan. 14.

COMMONWEALTH OF KENTUCKY.

EXECUTIVE DEPARTMENT,
Frankfort, January 14th, 1842.

SIR,

I have the honor to enclose to you, a copy of "Resolutions concerning the Soldiers of the Revolution," passed by the General Assembly of the Commonwealth of Kentucky.

I have the honor to be,
Very respectfully,
Your obedient servant,

R. P. Letcher

To
His Excellency
The Governor of
Wisconsin Territory

Enclosed in: Jones to [Doty?]
1842 Feb. 15.

1842, Feb. 7.

PREAMBLE AND RESOLUTIONS

In favor of the admission of Texas into the Union with equal rights and upon an equal footing with the sovereign States of these United States of America.

WHEREAS, the people of Texas have evinced an unconquerable love of Liberty, by their Spartan firmness in the Alamo, and their heroic conduct at San Jacinto; and WHEREAS, the same people have proved their capacity for self Government, by the adoption of their free and republican Constitution and Laws—

Be it therefore resolved by the General Assembly of the State of Tennessee, That our Representatives in Congress, be requested to use every exertion in their power to procure the admission of Texas into the Union with equal rights and upon an equal footing with the sovereign States of these United States of America.

Resolved, That the Governor of Tennessee, the Speaker of the Senate and the Speaker of the House of Representatives, in behalf of their respective Houses, be requested to subscribe these resolutions; and that his Excellency the Governor, be requested to forward a copy to the Governor of each of the States and Territories of the Union, and a copy to the President of Texas.

Resolved, That this General Assembly approve of the Joint Resolutions, unanimously adopted by the Legislature of Alabama at its late session, on this subject, and transmitted to this General Assembly, through his Excellency the Governor.

BURCHETT DOUGLASS,
Speaker of the House of Representatives.

SAM. TURNEY,
Speaker of the Senate.

Adopted February 7th, 1842.

Governor of Tennessee.
Nashville. Feby. 15. 1842.

Transmits copy of Preamble and Resolutions passed at the late session of the General Assembly in favor of the admission of Texas into the Union —

Letters from other States
1847.

Recd 26 March. 1842.

Enclosed: Preamble & Resolutions
1842, Feb. 7.

COMMONWEALTH OF TENNESSEE.

Executive Department,
Nashville, February 15th, 1842.

Sir.

I have the honor to transmit the enclosed Preamble and Resolutions, passed by the General Assembly of this State at its late session.

Very respectfully, your
Obedient servant,

James K Polk

The Secretary will please to issue Commissions to the following persons — to hold their offices to the end of the next Session of the Legislative Assembly —

John Morrison to be Judge of Probate for the County of Jefferson —

George D. Dousman to be Receiver
Thomas J. Noyes to be Register
James Sanderson to be Acting Commissioner

} of the Board of Canal Commissioners, under the act to provide for the construction of the Milwaukee and Rock River Canal

David Roe to be Surgeon of the 1st Regt. Wisconsin Militia —

C. L. Dodge

Ex. Dept.
Mn. Feby. 22. 1842 —

Madison February 24th 1842

Received of Alexander P Field Secretary of Wisconsin Territory, the sum of Four thousand One hundred and twenty five dollars & Sixty Eight Cents, in full of appropriations made to me by the Legislative Assembly of said Territory, in pursuance of an act of said Legislative Assembly, Approved February 19th AD 1842, for Printing Laws and Journals and incidental printing for the Council as per appropriation bill above referred to

$4125.68 Signed W W Wyman

The foregoing is a correct copy of a voucher No 113 found in Report No 84,036 filed in the U States Treasury Department and for the sum $4125.68 therein mentioned a credit has been allowed to A P Field upon the books of the Department in settlement of his accounts as disbursing officer of the Territory of Wisconsin

G P Delaplaine
Agent to settle claims &c

Annexed to the voucher above referred to is the following Memorandum — viz

"Printing Journals of Council since last bill —	$31.50
700 Copies Journal Extra session & laws sessions 1840 & 41.	2178 75
300 Copies Madison Express	357.00
Printing by order of Mr Groomach	93.25
also incidental printing Council of extra session 1841 & 1842 —	1296.18
	3950 68
Publishing proceeding of the Legislature	150 00
	4050 68
Publishing laws in Madison Express —	75 00
	$4125 68

"These are the items" referred to in voucher No 113 of W W Wyman for $4125.68 herein mentioned. Attested / Signed / A P Field Sec of W.T."

COMMONWEALTH OF KENTUCKY.

EXECUTIVE DEPARTMENT,
Frankfort, March 26th, 1842.

SIR,

I have the honor to enclose to you, a copy of "Preamble and Resolutions in relation to amendments to the Constitution of the United States," passed by the General Assembly of the Commonwealth of Kentucky.

I have the honor to be,

Very respectfully,

Your obedient servant,

R. P. Letcher

RESOLUTIONS

In relation to amendments to the Constitution of the United States.

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Constitution of the United States ought to be amended.

1st. That the President shall not be eligible for two consecutive terms; and whenever the office of President shall become vacant from any cause whatever, the Vice President, or other person filling the office of President for the remainder of the term, shall be ineligible for the next Presidential term.

2d. That the power of the President to appoint Members of Congress to stations of honor, trust or profit, under the General Government, ought to be restrained.

3d. That the power of the President to remove from office shall be confined to the Heads of Departments, and those employed in Foreign Service; but that, for cause assigned, he may suspend any officer until the Senate may advise for or against his removal.

4th. That the Veto Power of the President be so modified, as materially to diminish the mischievous influence now exercised by that officer over the legislation of the country, by means of said power.

5th. That the Governor be requested to forward a copy of the foregoing resolutions to each of our Senators and Representatives in Congress, and to the Executives of the several States; and that the Executives be respectfully requested to lay said resolutions before their respective Legislatures.

C. S. MOREHEAD, *Speaker of the House of Representatives.*

MANLIUS V. THOMSON, *Speaker of the Senate.*

APPROVED, 25th FEBRUARY, 1842.

R. P. LETCHER.

By the Governor,
JAMES HARLAN, *Secretary of State.*

Governor of Kentucky.
Frankfort. 25 March. 1842.

Encloses copy of "Preamble and Resolutions in relation to Amendments of the Constitution of the United States" passed by the General Assembly of that State —

Rec'd 18 April 1842.

Enclosed in: Underwood to Doty
1842, Aug. 11.

1842, May 4.

MEMORIAL

OF A CONVENTION OF THE FRIENDS OF THE AMERICAN COLONIZATION SOCIETY,

ASSEMBLED IN WASHINGTON CITY, 4th MAY, 1842,

THE Convention of the friends of African Colonization assembled in Washington City respectfully represent, that, the American Colonization Society having been established near the close of the year 1816, by a respectable body of citizens from every section of this Union for the humane and philanthropic purpose (in co-operation with the General Government and such of the States as might adopt regulations on the subject) of founding colonies of free persons of color, with their own consent, on the coast of Africa, proceeded to explore that coast, purchase by fair negotiation with the native tribes an eligible tract of country, and assist such free persons of color as were disposed to emigrate in their removal and settlement in Africa.

Impressed with the difficulty and magnitude of the enterprise and the importance, if not absolute necessity of the countenance and aid of the Government, memorials were early addressed to Congress, and in consequence, sustained as they were, by the avowed opinion of the Legislatures of several States, measures were adopted by Congress for the more effectual suppression of the African slave trade, by its denunciation and punishment as piracy, and authority was conferred upon the President of the United States to make such regulations and arrangements as he might deem expedient for the safe keeping, support, and removal beyond the limits of the United States, of all such Africans or persons of color as might be delivered and brought within their jurisdiction, and to appoint a proper person or persons, residing upon the coast of Africa, as agent or agents for receiving those persons of color "delivered from on board vessels seized in the prosecution of the slave trade by the commanders of the United States armed vessels."

The then President of the United States, Mr. Monroe, perceiving that the benevolent provisions of this law for the benefit of the re-captured Africans might be most economically and effectually fulfilled, by securing a home for these persons within the limits and under the protection of such colony as might be founded by the efforts and donations of the members and friends of this Society, determined to act in co-operation with the Society in regard to the station to be chosen for the temporary or permanent (as might be) residence of such Africans, and when the Society had obtained possession, by purchase, of a portion of the tract of country in Africa, since designated by the name of Liberia, such persons were placed upon its soil, under the care of an agent of Government, with such means of subsistence and defence as might enable them ultimately to attain the advantages which it was the endeavor of the Society to secure to those voluntarily engaged, under their auspicies, in the establishment of their colony.

Thus the Colony of Liberia rose into existence both as a home for the re-captured Africans restored by the humanity of our Government to their own country, and as a well-organized community of free colored men, prepared and disposed to extend their useful arts, laws, civilization and Christianity, far abroad among the native population of Africa.

Animated by the idea that their scheme was equally patriotic and Christian, tending to unite the minds of our countrymen on subjects in reference to which differing and warring opinions are to be deprecated, engaging their thoughts and exertions in measures to remove, with their own consent, our free people of color, and such as may become free, from circumstances and influences that embarrass and depress, to those which stimulate, encourage and exalt, and which must enable them to secure for themselves and posterity a free, independent, national existence, where such an existence may prove with increasing power an element destructive of the atrocious slave trade, and of renovating moral and intellectual life to the barbarous and uncounted tribes and nations of Africa—withdrawing the people of Africa—from the shades of ignorance, from cruel and degrading superstitions, from wars, and their fruitful parent, (that infamous commerce which annually, for centuries, has consigned vast numbers of its unoffending inhabitants, of all ages, both sexes, and of all conditions to slavery or death)—to industry, to the arts and practices of civilized life, to lawful, profitable, and peaceful trade, and the inestimable privileges of law, letters, liberty and Christianity—stirred by these high considerations, the Society has proceeded, mostly by private means, in its great enterprise. Individuals from every State of our confederacy, of every political and religious opinion, the clergy and the churches of every name, have viewed the plan of the Society as of a character not only unexceptionable but of comprehensive benevolence, operating for good in all relations and directions, embracing in its promised beneficence the interests of both the white and colored races in this country, and of the more numerous population of Africa.

The settlements of Liberia demonstrate the entire practicableness of the scheme. Though embracing but a few thousand emigrants, they exhibit on a distant and barbarous shore models of good government, of free institutions, of order, industry, civilized manners, and Christianity. Their jurisdiction extends along several hundred miles of coast, and the salutary influence of their example along the coast and into the interior, still farther. They have legislative assemblies, courts of justice, schools and churches. But it must be recollected that these communities which have done so much for themselves, and so much to spread out the advantages of our civilization and religion before rude and heathen men, who have passed laws for the extirpation of the slave trade on every spot touched by their rightful authority, are of a people, who here enjoyed but very imperfect opportunities and inducements for improvement, who left us almost without means; many of them recently liberated slaves, and all going forth unfortified and unsustained by either national or State power, to found, in an untried climate, on the borders of a continent remote from civilized nations, a republican commonwealth and the Church of God. They have nobly effected their object. But their condition is one of weakness, of difficulty, of danger, demanding in the judgment of your memorialists, the sympathy, the immediate and generous support, not only of individuals, but of every State Legislature in the Union. To abandon, or even to neglect the communities of Liberia, at this time, when it is clear that all the great and beneficent ends proposed by their establishment may, and that by means which divided among the several States, or paid out of the common fund of the nation would affect injuriously no one interest of the country, and which will be more than repaid with interest by the advantages of African commerce to be secured through those settlements, would be not only a violation of solemn obligation to the people of these colonies, but a sacrifice of the important commercial interest of our country. Your memorialists have abundant evidence to show that these interests on the African coast are becoming of great value, and that to Africa we may look for a market of vast extent to some of our great staple productions, as well as for our manufactures, and that the returns will be in palm oil, camwood, ivory, gold dust, the precious gums, and other of the richest products of the most favored regions of the tropics.

It is necessary for your memorialists merely to allude to the various political, social and economical considerations, that should operate with wise and patriotic men, more especially in our southern, and to some extent in all the States of this great confederacy, to incline them to regard with favor the plan and policy of this Society. Nor is it important to consider, how far, in the progress of this scheme, there may arise some friendly co-operation between the General Government, whose peculiar province it is to foster and and protect the commerce of the country and whose acknowledged duty to suppress the African slave trade, still depriving Africa every year of a half a million of her inhabitants, and the governments of the several States impelled by the combined considerations of interest and humanity to contribute to it their aid. To adopt the language of a former memorial, it is the duty of the Society to place the scheme in which they are engaged, before all, who have the power to accomplish it, and to trust that the wisdom and patriotism of those to whom it is committed, will devise the most proper and effectual means for its success. And they prefer, in earnestly soliciting for this enterprise the favor and pecuniary aid of the legislature which they have the honor to address, to dwell upon those elevating thoughts so well embodied in the language, slightly modified, of the first memorial ever submitted by this Society to the General Legislature of the Union. "Independently," said the President and Board of Managers at that time, "of the motives derived from political foresight and civil prudence, on the one hand, and from moral justice and philanthropy on the other, there are additional considerations and more expanded views to engage the sympathies and excite the ardor of a liberal and enlightened people. It may be reserved for this nation (the first to denounce an inhuman and abominable traffic, in the guilt and disgrace of which most of the civilized nations of the world were partakers) to become the honorable instrument under Divine providence, of conferring a still higher blessing upon that large and interesting portion of mankind, benefitted by that deed of justice; by demonstrating that a race of men, composing numerous tribes, spread over a continent of vast and unexplored extent, fertility and riches, unknown to the enlightened nations of antiquity, and who had yet made no progress in the refinements of civilization, for whom history has preserved no monuments of arts or arms, that even this hitherto ill-fated race, may cherish the hope of beholding the orient star revealing the best and highest aims and attributes of man. Out of such materials, to rear the glorious edifice of well ordered and polished society, upon the deep and sure foundations of equal laws and diffusive education, would give a sufficient title to be enrolled among the illustrious benefactors of mankind; whilst it afforded a precious and consolatory evidence of the all prevailing power of liberty, enlightened by knowledge and corrected by religion. If the experiment in its more remote consequences, should ultimately tend to the diffusion of similar blessings through those vast regions and unnumbered tribes, yet obscured in primeval darkness, reclaim the rude wanderer from a life of wretchedness to civilization and humanity; and convert the blind idolater from gross and abject superstition, to the holy charities, the sublime morality, and humanizing discipline of the Gospel—the nation, or individual that shall have taken the most conspicuous lead in achieving the benevolent enterprise, will have raised a monument of that true and imperishable glory, founded in the moral approbation and gratitude of the human race, unapproachable to all but the elected instruments of

divine beneficence—a glory with which the most splendid achievements of human force or power must sink in the competition, and appear insignificant and vulgar in the comparison. And above all should it be considered, that the nation or the individual, whose energies have been faithfully given to this august work, will have secured, by this exalted beneficence, the favor of that Being whose compassion is over all his works, and whose unspeakable rewards will never fail to bless the humblest effort to do good to his creatures."

The Colony of Cape Palmas, is a conclusive evidence of what a single state, and by an appropriation of a few thousand dollars annually can accomplish in this cause. A prosperous Colony of about six hundred emigrants has risen, with all the order and institutions of a well organized Society, under the fostering care of the Legislature of Maryland, and citizens of this state, at the cost of less than the establishment of a single plantation of the South.

But it is vain to expect, that either the various interesting settlements scattered along an extended line of coast, under the care of the parent society, and opening a rich and inviting territory for the possession and home of our free colored population or the settlement at Cape Palmas, can prosper, maintain themselves against the adverse influences of great power, with which they are contending, effect the high purposes for which they have been planted, unless their numbers shall by emigration, be augmented, and increased funds be supplied by the bounty of individuals, the States, or the Nation. An annual appropriation for the present, of even ten thousand dollars, from the Legislature of each State, with the aids which may be anticipated in the Union from the donations of benevolence would throw a new light of hope and cheerfulness over the settlements of Liberia, and give assurance that Africa herself must rise from ruin, to stand in honor and power among the nations of the world.

Mott Clair Clarke
Secretary

African Colonization
Memorial
1842.

Enclosed: Memorial.
1842, May 4.

House of Representatives
Washington City
11 Aug. 1842

Dear Sir

As President of a Convention of the friends of the American Colonization Society recently held in this city, I have been directed to transmit to you the accompanying Memorial adopted by, & proceedings of, the said Convention with the request that you will the special attention of your next Legislature to them.

I have the honor to be
Dear Sir
Your obt. Svt.

James D. Doty Esq.
Gov. Wisconsin

J. R. Underwood

	Amount brought forward			$2700	67
	February 19. 1842	210	00	210	00
	February 19. 1842	100	00	80	00
	January 13 1840	1183	46	500	00
1838 & 1839	August 14. 1840	250	00	150	00
	February 19. 1842	4819	07	3420	33
	February 19. 1842	10	00	10	00
do	February 19. 1842	145	00	145	00
	August 13. 1840	112	13	100	34
	February 19. 1842	225	00	225	00
do	February 19 1842	28	50	23	00
	February 19 1842	18	25	18	25
	January 13. 1840	437	24	287	44
	January 13. 1840	437	24	150	00
				$8.020	03

× 310 # Shole scrip returned - Field claiming that the damages have been by him paid to said Sholes -

Appointed by His Excellency Nelson Dewey Governor of said State and William A. Barstow, Esquire, Secretary of said State filed herewith, the State of Wisconsin as successor to the rights of the late Territory of embracing Township numbered from 1 to 38 both inclusive, is a Legislative expense, amounting to the aggregate to eight thousand been paid out of the Territorial and State treasuries to the service made by said Territory & State, That no part of the amount been paid by the United States Government or any of its officers, & evidence of State assumption of said claims, were ever filed forgoing abstract embraced in class of Vouchers in the foregoing Mr as Auditor of Public Accounts of the late Territory of Wis= consin. presented & filed in this order.

1841

George P Delaplaine
Agent, under letter of attorney
for the State of Wisconsin

Abstract of Disbursements

made by the Territory of Wisconsin, & also by the State of Wisconsin, as successor to said Territory to defray certain Legislative Expenses of said Territory, herein specified, for which an appropriation was made by an act of Congress entitled "An act to provide for the settlement of certain accounts for the support of Government in the Territory of Wisconsin & for other purposes" Approved August 29. 1842.

No. of Voucher	Class. Voucher	To whom appropriated	For what appropriated	by what act appropriated	Amount appropriated	Amount claimed as paid
1		Catharine Arndt	Per diem pay to C. C. P. Arndt, member of Council	February 19. 1842	204 00	204 00
2		George Brownson	Hardware for Legislative Assembly	February 19. 1842	5 00	5 00
3		David Butts	Brooms for Capitol building	February 13 1841	2 00	2 00
4		David Butts	Assistant door keeper	January 13. 1840	70 00	70 00
5		Edward Campbell	Hauling State documents from Milwaukee	January 13. 1840	18 88	18 88
6		Edward Campbell	Hauling stove from Milwaukee	January 13. 1840	4 00	4 00
7		A. R. Clark	Candles for use of Capitol	February 19. 1841	12 60	12 60
8		M. D. Doggett	Chairs & desks for use of Halls	February 19. 1841	733 35	673 00
9		M. S. Denning	per diem as member of Council	January 23. 1841	175 00	175 00
10		John Donaldson	teaming – conveying Wells & Strong to Green Bay, contested seat	February 19 1841	84 00	84 00
11		Thomas Earlinard	newspapers furnished members	February 19. 1842	7 00	7 00
12		J. J. Emerson	Assistant Secretary of the Council	February 19. 1842	126 00	126 00
13		John Graham	Assistant door keeper of the Council	February 19. 1842	175 00	175 00
14		L. A. Willard	Assistant door keeper pro tem of H. of Reps.	February 19. 1842	15 00	10 00
15		Thomas C. Hanna	Assistant door keeper Council	August 14. 1840	48 00	48 00
16		George Hyer	Publishing proceedings of H. of R.	February 19. 1842	150 00	135 00
17		Lorenzo Jones	Mileage as member of Council	February 19. 1842	261 00	261 00
18		James Manwell	Examining State Med. Point Bank	February 19. 1841	85 00	85 00
19		John F. Meade	Chief & Asst Clk H. of R.	February 19. 1842	270 00	270 00
20		Simeon Mills	Transporting laws to Greene County	February 19. 1842	5 00	5 00
21		James Morrison	lumber & wick furnished Assembly	February 19. 1842	93 19	93 19
22		Wallace Margatt	newspapers furnished Assembly	February 19. 1842	25 00	25 00
23		Abner Nichols	Transporting pub. docs. from Milwaukee to Madison	February 19. 1841	9 00	9 00
24		Charles C. Peasley	material & labor putting down carpets	February 19. 1842	13 00	8 00
25		Boyd Phelps	Chaplain House of Representatives	February 19. 1841	200 00	195 00
						$2700 67

26	I. F. Potter	Transcribing clerk of the Council
27	Harrison Reed	Newspapers for the Legislature
28	D. N. Richards	printing local laws 1838 & 1839
29	D. N. Richards	Extra Compensation printing laws
30	A. C. Sholes	Printing for Legislative Assembly
31	H. O. Sholes	newspapers furnished Legislature
32	Seth Scovill	hauling furniture for use of Legisla
33	W. T. Sterling	Articles purchased for Library
34	D. A. J. Upham	per diem as Member of Council
35	D. A. J. Upham	Mileage as Member of the Counci
36	J. Wainwright	Chairs for the Legis: Assembly
37	W. W. Wyman	printing for the Council
38	W. W. Wyman	printing for the Council

I George P. Delaplaine of Madison State of Wisconsin, and acting under a letter of Attorney from said Govern to settle the accounts between the United States and the of Wisconsin, do hereby certify that the foregoing abstract correct statement of the different sums of money to twenty dollars and three cents ($8020.03) which have been paid to the persons specified, to whom appropriations were claimed in the foregoing list by said State, has ever

And I do further certify that no receipts or other by the said Territory or State upon the vouchers in the last numbered 2, but that the same were paid by consent, upon the surrender of the original bonds he

Dated at Washington D. C. November 18

a copy

1842. Aug. 1.9

Jos. Woodell Esq

Executive Dept.
Madison Dec. 24. 1842

Sir,

Charges have today been filed in this office against you as Sheriff of the County of Green, that you have not kept your office at the seat of Justice of the County; and that you have used the influence of your office against the present National and Territorial administrations by recommending and increasing the circulation of what are called "Anti-Doty papers" and otherwise.

A petition numerously signed by citizens of the County of Green has also been presented, asking the appointment of Dennis Beach Esq in your stead.

These facts are communicated to you in consequence of your application to be heard whenever they were preferred.

Very respectfully
Your obt. Svt.

A. L. Doty

1843, Mar. 17.

Commonwealth of Massachusetts.

IN THE YEAR ONE THOUSAND EIGHT HUNDRED AND FORTY THREE.

RESOLVES

AGAINST THE ANNEXATION OF TEXAS TO THE UNION.

Resolved, That, under no circumstances whatsoever, can the people of Massachusetts regard the proposition to admit Texas into the Union in any other light than as dangerous to its continuance in peace, in prosperity, and in the enjoyment of those blessings which it is the object of a free government to secure.

Resolved, That the Senators and Representatives of Massachusetts in the Congress of the United States be requested to spare no exertions to oppose, and if possible to prevent, the adoption of the proposition referred to.

Resolved, That His Excellency the Governor be requested to transmit one copy of these resolutions to the Executive of each of the United States, and a like copy to each Senator and Representative in Congress from Massachusetts.

House of Representatives, March 16, 1843.

Passed,

DANIEL P. KING, *Speaker.*

In Senate, March 17, 1843.

Passed,

FREDERICK ROBINSON, *President.*

A true copy,—Attest:

Jno. A. Bolles

Secretary of the Commonwealth.

1843, Mar. 21

To the Legislative Council.

I nominate Morris S. Burnet, George McWhorter, William Hale, Sewall Andrews, Isaac C. Loomis, Asa Kinney, Jeremiah McCredy, Simon Adolph, Jairus Chadwick, John Ogden, Daniel W. Patterson, Orin Hazleton, Aaron Putnam, Isaac A. Flint, Moor Spear, Alfred W. Morris, Asahel Finch Jr., George S. Hosmer, Nelson P. Hawks, Samuel C. Leavitt, Abner Rowe, Henry A. Hinkley, David Bonhom, ~~[illegible]~~, William A. Prentiss, Justin Olin, Jeremiah B. Lander, Timothy Wainright, Philip Schuyler, Moses Smith, & Peter A. Turner ——

—— to be Justices of the Peace; ——

Cyrus D. Davis and John F. Rague to be auctioneers; Peter Yates and Alexander Mathieson to be Supreme Court Commissioners; Francis Randall to be District Attorney; Henry S. Brown and Benjamin H. Edgerton to be Notaries Public; Abram D. Smith to be a Master in Chancery; and George A. Tiffany to be Public Administrator for the county of Milwaukee:

Also John P. Arndt to be Judge of Probate, David McKinney, Samuel W. Farnsworth, Peter B. Grignon, Edwin Hart, Emmons W. Follett, Charles Chapman, John V. Suydam, Charles A. Grignon, and Henry B. Kelso to be Justices of the Peace, and John Wallace Arndt and Antoine Degnindre, to be Notaries Public for the County of Brown:

Also J. Allen Barber to be Judge of Probate, Edwin Bickwell to be auctioneer, for the County of Grant.

Ex. Dept.
Madison March 21. 1843

J. D. Doty

1843, March 22

To the Legislative Council

I nominate Ephraim Dunbar, & Orris McCartney to be ~~[illegible]~~ Justices of the Peace for the County of Grant –

Also Jasper Griggs, Ira Utter, Enos J. Harrand ~~John McCarron~~ Jesse Hand to be Justices of the peace; ——— Experience Eastabrook a Notary Public; Christopher Douglass a Supreme Court Commissioner for the County of Walworth –

Also Thomas Slade to be a Justice of the Peace for Racine County.

Ex Dept –
Madison March 22 1843

J. D. Doty

1843

To/
His Excellency James D. Doty
President

Manuscript
June 22. 1843

1843, Mar. 22.

To the Legislative Council

I nominate Samuel Hale Jr. to be Judge of Probate;

William D. Paddock — Robert G. McClelland
Horatio C. Train — Stanton D. Warner
Lemuel Booth — Zina P. Rich
Gurdon Secor — Samuel Hale Jnr.
Sela Whitman — Hiram Tuttle
John Kelly — Reuben H. Deming
Seth Warner — Cornelius Brefse
Abial Whitman — Richard E. Ela
Ezra Richard — Chauncey Kellogg
Benjamin P. Van Court — Edward Burbeck
James Preston — Albert G. Northway

Ira Hulburt to be Justices of the Peace;— Louis Butterfield to be District attorney; Samuel C. Chase and Abner Ronde to be Inspectors of Provisions &c: Lorenzo James to be a Master in Chancery; Alfred Cary to be a Supreme Court Commissioner; William H. Waterman, Caleb P. Barne John Ransdell, ~~and~~ Marshall M. Strong, ~~Levi H. Cary to be Justices of the Peace~~ and Elijah Steele to be Notaries Public, for the County of Racine.

Executive Department
Madison, March 22. 1843

J. D. Doty

Janesville Wis
March 21

Eliu Smith Esq
Racine Wis

His Excelency
L. D. Doty
Madison
Wis

Nominations
March 22. '42.

1843, Mar. 23.

Commonwealth of Massachusetts.

IN THE YEAR ONE THOUSAND EIGHT HUNDRED AND FORTY THREE.

RESOLVES

CONCERNING AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES.

Resolved, That the following amendment to the Constitution of the United States be, and hereby is recommended to the consideration of Congress, to be acted on according to the fifth article. The third clause of the second section of the first article shall read in the words following Representatives and direct taxes shall be apportioned among the several states which are or may be included within this union, according to their respective numbers of free persons, including Indians not taxed. The actual enumeration shall be made within two years from the date of the adoption of this amendment in the manner provided by the constitution, and within every subsequent term of ten years, in such manner as the Congress shall by law direct. The number of representatives shall not exceed one for every thirty thousand, but each state shall have at least one representative.

Resolved, That His Excellency the Governor be requested to transmit a copy of the aforegoing resolve, and the proposed amendment, to each of the Senators and Members of the House of Representatives of this Commonwealth in the Congress of the United States.

Resolved, That His Excellency the Governor be requested to transmit a copy of the same resolve and amendment to the Executive of the United States and of the several states.

House of Representatives, March 23, 1843.

Passed,

DANIEL P. KING, *Speaker.*

In Senate, March 23, 1843.

Passed,

FREDERICK ROBINSON, *President.*

A true copy,—Attest:

Jno. A. Bolles

Secretary of the Commonwealth.

37 E. 60 1843, Mar. 24.

To the Legislative Council

I nominate Levi Root to be a Justice of the Peace for the county of Grant—

Also James Bonnewell, Frederick W. Horn, Aurora Adams and Levi Ostrander to be Justices of the Peace for the county of Washington:

Also Andrew Garrison to be Supreme Court commissioner and Justice of the peace, and Isaac O. Briggs to be auctioneer for the County of Sauk:

Also ~~Daniel F. Kimball~~ Joseph S. Pierce, Peyton Rupsell, Levi Kinney, Charles Randall, Arvah Cole, William Young, John W. Bickwell, Nelson Eldred, Thomas Vaughn and Lewalle Holman to be Justices of the peace; John Hackett and William R. Sheldon to be notaries public. Charles Hart to be auctioneer, Abraham C. Bailey and David Noggle to be Supreme court Commissioners; Hazen Cheney to be District attorney, for the County of Racine;

Also Forrister Lester, Henry Carpenter, La Fayette Hill, Enoch G. Bean, and Stephen M. Woodward to be Justices of the peace; and Satterlee Clark Junr. to be Auctioneer and Supreme Court Commissioner for the County of Portage—

Also Thomas W. Baker to be a Justice of the Peace for the County of Manitoowoc,

Also Cadwallader C. Washburne, William Rea, William Prideaux, Sampson Rogers, Nicholas Wren, C. C. Ryncrson, Thomas Chilton, and Henry Low to be Justices of the peace, and Edwin

B. Carson to be Supreme Court Commissioner, and Cadwallader C. Washburne to be a Master in Chancery, for the County of Iowa

Also John Perry, William Boyles, Hiram Rust, Elijah T. Gardner, Jacob Linzee, John W. Stewart, Nathaniel W. Dean, Rhodolphus D. Dorrick and Martin Burt to be Justices of the peace, Jarvis Rattan to be a master in chancery, John A. Bingham to be District Attorney, John W. Stewart to be a Supreme Court commissioner, and Daniel S. Sutherland to be Judge of Probate for the County of Green.

Also Barlow Shackelford to be Librarian, ~~George D. Dousman~~ ~~[illegible]~~ the act entitled "An act to provide for the appointment of a librarian and for other purposes".

Also James Sanderson to be acting Commissioner, Thomas J. Noyes to be Register and George D. Dousman to be Receiver of the Board of Canal Commissioners under the act entitled "an act to provide for aiding in the construction of the Milwaukee and Rock river Canal". John Marsh, Nathan Goodell, Charles C. Moore [illegible] and John Palmer to be Justices of the Peace for the County of Milwaukee — Also Alexander Botkin to be Judge of probate and Erastus Quivey to be Public Administrator for the county of Dane.

Ex. Dept.
Madison March 24. 1843.

J. D. Doty

Nom 24th.

To His Excellency [illegible]

[illegible] 11th

1843

1843, Mar. 24.

Commonwealth of Massachusetts.

IN THE YEAR ONE THOUSAND EIGHT HUNDRED AND FORTY THREE.

RESOLVES

CONCERNING FRENCH DEPREDATIONS ON AMERICAN COMMERCE PREVIOUS TO THE CONVENTION OF EIGHTEEN HUNDRED.

Resolved, by the Senate and House of Representatives, in General Court assembled, That the depredations on American commerce, committed by the authority of the French Republic, previous to the month of September, eighteen hundred, were in violation of the law of nations, and of existing treaties, and created a claim which the government of the United States was bound, by its duty of affording protection to its peaceable citizens, to sustain and enforce.

Resolved, That the government of the United States, having, by the ratification of the convention of September thirtieth, eighteen hundred, with amendments, released the French nation from said claim, for a valuable consideration, assumed the obligations of said claim upon itself, and is bound to discharge it, alike by the obligations of equity, and by the injunction of that provision of the federal constitution, which declares that "private property shall not be taken for public use without just compensation."

Resolved, That it is due alike to the honor of the American name, and to the support of that confidence which citizens should feel in the wisdom and rectitude of their rulers, that speedy provision should be made by act of Congress for the rendering of justice, so long delayed.

Resolved, That His Excellency the Governor be requested to transmit copies of these resolves, and of the accompanying report to the Senators and Representatives from this Commonwealth in Congress, and to the Executives of the several states.

House of Representatives, March 24, 1843.

Passed,

DANIEL P. KING, *Speaker.*

In Senate, March 24, 1843.

Passed,

FREDERICK ROBINSON, *President.*

A true copy,—Attest:

Jno. A. Bolles

Secretary of the Commonwealth.

1843, Aug. 23

Proclamation.

By James Duane Doty
Governor of the Territory of Wisconsan.

Whereas the compact ~~made~~ between the United States and Virginia and the Ordinance of Congress of 1787 ~~granted~~ secure the right to form a permanent constitution and State Government to each of the States whose boundaries were established by the said Ordinance, "whenever ~~[illegible]~~ any of the said States shall have sixty thousand free inhabitants therein":

And whereas it is the opinion of many citizens that there are now more than sixty thousand inhabitants in that part of the fifth of the said States which is at present under the Territorial government of Wisconsan; and that, to obtain the constitutional liberty enjoyed by the citizens of the United States; to secure an economical administration of government by the Executive and Legislative departments; to establish a more efficient Judiciary System; to prevent an increase of the Public Tax, ~~[illegible]~~ of Taxation, and ~~[illegible]~~ Expensive Legislation the time has arrived when the preliminary steps ought to be adopted to restore to the people of this state the rights of self government to the extent that it is enjoyed in other of the states of the Union:

~~Now~~ Whereas the Legislative Assembly has failed to provide by law the time and place for the said inhabitants to vote upon the question whether the preliminary steps ought to be taken to form a permanent government for the said Fifth State, or not:

Now therefore, in order that the public voice may not be stifled by failure but that it may be clearly expressed to the Congress of the United States and the Legislature of this Territory be thereby instructed, I do recommend to each of the said inhabitants to deposit with the Judges of the Elections, on the day of the General Election, to wit, the fourth Monday of

September next a ballot with the word "Yea" or "Nay" thereon as the voter may be in favor or against the formation of a [redacted] permanent government for the State of Wisconsin.

And I do respectfully request that the said judges of the election in each precinct do receive the said ballots and canvass and certify same to the clerks, in the same manner as they are required by law to return the votes given for members of the Assembly; and the said clerks do make return thereof to the Secretary of Territory of Wisconsin.

~~In testimony whereof I have hereunto subscribed~~ my name and caused the great seal of the Territory to be affixed.

Done at Madison this twenty third day of August A. D. one thousand eight hundred and forty three.

[redacted]

S. A. Doty

State-Hood

Vote Aug. 1843

Proclamation of Governor Doty

STATE OF SOUTH-CAROLINA.

GOVERNOR'S MESSAGE, NO. III.

EXECUTIVE DEPARTMENT,
Columbia, 30th November, 1844.

Gentlemen of the Senate,
And House of Representatives

The accompanying communication was received by the last mail, and I deem it proper that it should be laid before you for your information. It will be seen that the State of Massachusetts has appointed a Special Agent to reside in this State, for the purpose of contesting, by a series of law suits, a long standing law of a peculiar character, which is deemed of vital importance to the security of our property, and the peace of our citizens. She has also appropriated a fund for the purpose of defraying the expenses of the litigation. These facts I gather only from the communication of her Agent, which is transmitted to you. I have received no notification from the Authorities of the State. It is for you to determine whether any, and what measures should be taken to maintain the police regulations of this State within her limits.

J. H. HAMMOND.

CHARLESTON, 28th Nov. 1844.

SIR:—Your Excellency is already informed of remonstrances made by the Commonwealth of Massachusetts against the arrest and imprisonment of her citizens in South-Carolina, against whom the commission of no crime is alleged. The Legislature of Massachusetts has recently passed a resolve, authorizing the Governor of that State to appoint an Agent "for the purpose of collecting and transmitting accurate information respecting the number and the names of citizens of Massachusetts who have heretofore been, or may be, during the period of the engagement of the Agent, imprisoned without the allegation of any crime." The Agent is also authorized to bring and prosecute one or more suits in behalf of any citizen that may be so imprisoned, at the expense of Massachusetts, for the purpose of having the legality of such imprisonment tried and determined in the Supreme Court of the United States.

The Governor of Massachusetts has appointed me Agent of that State, to execute the purposes above mentioned; and I arrived in this city this morning, for that purpose. I do not know that your Excellency will consider it proper in any way to notice this subject, yet propriety seemed to require this communication.

With great respect, your Excellency's ob. st.
SAMUEL HOAR.

To His Excellency, J H. HAMMOND, Gov'r. of South-Carolina.

IN THE HOUSE OF REPRESENTATIVES, December 5, 1844.

Mr. DESAUSSURE, from the Committee on Federal Relations, to whom was referred Message No. 3 of his Excellency the Governor, and the Communication of Samuel Hoar, submitted the following Report, which was read, and ordered to be considered immediately.

The Committee on Federal Relations, to whom was referred the Communication of his Excellency the Governor, transmitting a letter addressed to him by Samuel Hoar, an agent of the State of Massachusetts for certain purposes, submit the following Report:

By an act passed on the 19th day of December, 1835, the General Assembly endeavored to guard against the introduction of free negroes and persons of color into this State, upon principles of public policy, affecting her safety, and her most vital interests. The right of excluding from their territories conspirators against the public peace, and disaffected persons whose presence may be dangerous to their safety, is essential to every Government. It is everywhere exercised by independent States, and there is nothing in the Constitution of the United States which forbids to South-Carolina the right, or relieves this Legislature from the duty, of providing for the public safety.

Massachusetts has seen fit to contest this right, and has sent an agent to reside in the midst of us, whose avowed object is to defeat a police regulation essential to our peace. This agent comes here, not as a citizen of the United States, but as the emissary of a Foreign Government, hostile to our domestic institutions, and with the sole purpose of subverting our internal police. We should be insensible to every dictate of prudence, if we consented to the residence of such a missionary, or shut our eyes to the consequences of his interference with our domestic concerns.

The Union of these States was formed for the purpose, among other things, of ensuring domestic tranquility, and providing for the common defence; and in consideration thereof, this State yielded the right to keep troops or ships of war, in time of peace, without the consent of Congress; but while thus consenting to be disarmed, she has, in no part of the constitutional compact, surrendered her right of internal government and police; and, on the contrary thereof, has expressly reserved all powers not delegated to the United States, nor prohibited by it to the States.

The State of Massachusetts denominates as citizens, those persons for whose protection her tender solicitude has devised this extraordinary mission. Yet if it were admitted that they are citizens of that State, your Committee cannot suppose that

she will challenge for them greater rights, immunities and privileges, within our territories, than are enjoyed by persons of the same class in South-Carolina. But your Committee deny that they are citizens, within the meaning of the Constitution; nor did Massachusetts herself treat as citizens, persons of this class residing within her limits, either at the adoption of the Constitution, or since; but, on the contrary, they were subjected to various disabilities, from which her other inhabitants were exempt.

Your Committee cannot but regard this extraordinary movement as part of a deliberate and concerted scheme to subvert the domestic institutions of the Southern States, in plain violation of the terms of the national compact, and of the good faith which ought to subsist between the parties thereto, and to which they stand solemnly pledged.

Your Committee recommend the adoption of the following Resolutions:

Resolved, That the right to exclude from their territories, seditious persons, or others whose presence may be dangerous to their peace, is essential to every independent State.

Resolved, That free negroes and persons of color are not citizens of the United States, within the meaning of the Constitution, which confers upon the citizens of one State the privileges and immunities of citizens in the several States.

Resolved, That the emissary sent by the State of Massachusetts to the State of South-Carolina, with the avowed purpose of interfering with her institutions, and disturbing her peace, is to be regarded in the character he has assumed, and to be treated accordingly.

Resolved, That his Excellency the Governor be requested to expel from our territory the said agent, after due notice to depart; and that the Legislature will sustain the Executive authority in any measures it may adopt for the purpose aforesaid.

Resolved, That the Governor be requested to transmit forthwith to the Governors of the several States and Territories, a copy of his Message, No. 3, to this Legislature, communicating the letter of Samuel Hoar, Agent from the State of Massachusetts, and also a copy of the Report and Resolutions of the Committee on Federal Relations of the House thereon, which has been agreed to by both branches of the Legislature.

I hereby certify, that the above Resulution was agreed to in the Senate and concurred in by the House of Representatives.

HOUSE OF REPRESENTATIVES, Dec. 6, 1844. THOMAS W. GLOVER, *Clerk H. R.*

EXECUTIVE DEPARTMENT,
COLUMBIA, SOUTH-CAROLINA, *Dec.* 6, 1844.

***Sir:** I have been requested by the Legislature of this State to transmit you the above Message, and Report and Resolutions.*

I have the honor to be, very respectfully, your obt. serv.

J. H. Hammond.

To His Excellency
The Governor of
Wisconsin

Message of the Governor of South Carolina

Letters from other States

1844

Mich

and

1844, Dec. 27.

State of New-Hampshire.

In the year of our Lord one thousand eight hundred and forty-four.

WHEREAS it is provided by the 6th article of the amendments to the constitution of the United States, "That in all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law; and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defence." And whereas a citizen of one of the States of this republic, (Thomas Wilson Dorr,) has, by the constituted authorities of that State, been charged with the crime of treason—arraigned before its court—pronounced guilty of the offence charged, and by that court sentenced to hard labor in the state prison during his natural life: and whereas, in the opinion of this legislature, all the substantial forms of justice required to be observed in criminal cases, were, during his trial for that offence, disregarded, his rights grossly violated and denied to him by his removal for trial from the *vicinage* in which the crime was alleged to have been committed; by the selection of a packed jury, all of whom were his political enemies; and by the refusal on the part of the judges of the court before whom he was tried, to permit him, by the strongest evidence which it was possible to offer, to establish his innocence, and to prove that the acts for which he was charged with the crime of treason, were only in obedience to the constitution of the State, whose chief magistrate he was, and as such was bound to support that constitution which the people of Rhode Island had adopted; and which evidence of its adoption he offered to lay before the court, by presenting to them the votes of the people themselves, on which votes were the names of the voters, so that if fraud or illegal voting had been resorted to in the adoption of the constitution, the court would be enabled to detect the same—all of which evidence was rejected, and the decision of his guilt or innocence, in which was involved the great and important question of the right of the people to establish a constitution or form of government suited to their own wants and convenience, was referred to a jury packed for the occasion, and three of whom he offered to prove to the court, had, in violation of their oath, prejudged his case: therefore—

Resolved by the Senate and House of Representatives in General Court convened, That in the person of Thomas Wilson Dorr, now confined in the State Prison of Rhode Island, the authorities of that State have trampled upon the constitution of the United States, by denying to him the right to be tried by an *impartial jury*, in the *vicinage* in which the crime was alleged to have been committed, and by refusing to him the right of introducing testimony tending to establish his innocence of the offence charged; and that it is the duty of Congress to restore to the said Thomas Wilson Dorr those sacred rights guaranteed to him by the constitution, as a man and as a citizen of this republic; and to wipe out the *deep* and *damning stain* stamped upon our national escutcheon by the *mock trial* and condemnation of this individual, guilty of no offence but that of maintaining the sovereignty of the people, and of obeying their sovereign will!

And whereas it is provided by the 8th article of the amendments ~~to~~ of the constitution ~~to~~ of the United States, that "excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted," and whereas the punishment imposed upon the said Thomas Wilson Dorr, is, in the opinion of this legislature, both "*cruel* and *unusual*"—unusual, as being, it is believed, the first offence of a strictly political character which has been punished by a State since the Declaration of American Independence!—unusual when the nature of the offence is considered in connection with the plain principles upon which the government of the United States is founded, the principle of the sovereignty of the people; and whereas it is the manifest duty of the general government to protect and guard the rights of individuals, so far as those rights are guaranteed by the constitution; therefore—

Resolved, That the imprisonment of Thomas Wilson Dorr by the authorities of Rhode Island, presents to the Congress of the United States, a case of "*cruel* and *unusual punishment*" inflicted upon that individual for exercising, in a constitutional manner, the duties imposed upon him as chief magistrate of that State, to which office he was duly elected under a constitution adopted by a large majority of its citizens, and as such calls loudly upon the general government to extend to him, the said Thomas Wilson Dorr, that protection against tyranny and oppression, which the government of these United States is bound in good faith to extend to all and every one of its citizens.

Resolved, That while we disclaim all right to interference with the internal police and regulations of our sister States, leaving to them the full exercise of sovereign power, (so far as it has not been delegated to the United States,) yet, we cannot but protest against the wanton exercise of this power by the State of Rhode Island, in the case of Thomas Wilson Dorr, who, as a citizen of the United States, has rights which should be regarded as sacred, and which the general government is bound to maintain and defend.

Resolved, That we regard the doctrine of the sovereignty of the people as of vital importance to the stability and permanency of our republic, and that the people of Rhode Island, in common with the people of the other States composing this Union, possess this right—that when they speak, "*Full faith and credit shall be given in each State to*" their "*public acts*," one of which was the establishment of a constitution, adopted by a majority of her people, and another the election of officers under that constitution, of which Thomas Wilson Dorr was the chief magistrate, and as such should have been recognized by the several States composing this Union, and by the United States government itself.

Resolved, That our Senators and Representatives in Congress be requested to lay this preamble and resolutions before both Houses of Congress, and that the Secretary of State be directed to furnish each of them ~~with~~ a copy of the same, and also to furnish a copy to the Governors of the several States and Territories.

HARRY HIBBARD,
Speaker of the House of Representatives.
TIMOTHY HOSKINS,
President of the Senate.

Approved, heartily approved, December 27, 1844.

JOHN H. STEELE, *Governor.*

A true copy—attest, Thomas P. Treadwell *Secretary of State.*

1844, Dec. 28.

State of New-Hampshire.

In the year of our Lord one thousand eight hundred and forty-four.

1. *Resolved by the Senate and House of Representatives in General Court convened,* That the result of the Presidential election demonstrates that the people of this State and the United States are in favor of the immediate re-annexation of Texas to the Union.

2. *Resolved,* That the usurpation of Santa Anna and his subversion by the sword of the compact under which Texas became one of the States of the Mexican confederacy, the triumph of Texian arms at the decisive battle of San Jacinto, the subsequent acknowledgment of her independence by the usurper, and by the great powers of both continents—the maintainance of that independence for a long succession of years against every foe, all combine to absolve Texas from all farther allegiance to Mexico, and to establish her independence in law and fact, and her perfect freedom to negotiate treaties and contract alliances with the other sovereignties of the globe.

3. *Resolved,* That we regard it as an insult to the people of Texas, who have gallantly achieved their liberties by the sword of revolution, to make the consent of Mexico a prerequisite to their re-annexation to the United States; and that an attempt to procure the assent of Mexico, now convulsed with insurrection and torn with contending factions, each claiming to wield the rightful powers of government, would be as fruitless as unnecessary and uncalled for by the justice and law of the case.

4. *Resolved,* That the re-annexation of Texas is as constitutional and expedient as was the purchase of Louisiana by Mr. Jefferson, of which purchased territory we believe the present territory of Texas constituted a part.

5. *Resolved,* That the re-annexation of Texas, aside from its restoring to the South West its mutilated territory, bargained away by the treachery or folly of our diplomatists; is founded in the interests of every section of our country—the agriculture of the South and West, and the commerce and manufactures of the North.

6. *Resolved,* That we do not recognize the right of foreign nations to interfere in the negotiations upon this subject, and that the two countries consenting, and as against foreign nations, Texas should be re-annexed to the United States, if need be, by armed occupation.

7. *Resolved,* That national honor and national policy alike forbid all further foreign aggression upon American soil.

8. *Resolved,* That we believe with Mr. Clay "that the re-annexation of Texas will add more free than slave States to the Union, and that it would be unwise to refuse a permanent acquisition, which will exist as long as the globe remains, on account of a temporary institution."

9. *Resolved,* That our Senators in Congress be instructed and our Representatives be requested to use their exertions to procure the adoption of such measures by the General Government, as in their opinion shall be best calculated to effect the re-annexation of Texas to the United States, and to assert and maintain our rights in the territory of Oregon.

10. *Resolved,* That the Secretary of State be directed to furnish a copy of the foregoing resolutions to each of our Senators and Representatives in Congress, and to the Governors of the several States and Territories of the Union.

HARRY HIBBARD, *Speaker of the House of Representatives.*
TIMOTHY HOSKINS, *President of the Senate.*

Approved, December 28, 1844.

JOHN H. STEELE, *Governor.*

A true copy—attest—

Thomas P. Treadwell *Secretary of State.*

New Hampshire

Resolutions of the State of concerning the Texas question

1844

Enclosed: Report of New Hampshire 1845, July 2.

1845, Jan. 27.

State of Rhode-Island and Providence Plantations.

In General Assembly, January Session, A. D. 1845.

Whereas, certain resolutions of the General Court of the State of New-Hampshire, in relation to the trial and imprisonment of Thomas W. Dorr, passed on the 27th day of December, 1844, have been transmitted by the Governor of that State to his Excellency the Governor of this State, and by him have been communicated to this General Assembly, and it appears, from said resolutions, that the same are to be communicated to both Houses of Congress, and to the Governors of the several States and territories:

Resolved by this General Assembly, That said resolutions, marked as they are by the grossest falsehood, ignorance and impertinence, are at once disgraceful to the Legislature of New-Hampshire, and insulting to the government and people of Rhode-Island:

Resolved, That the Secretary be instructed to return said resolutions to the Governor of New-Hampshire, accompanied by a copy of these resolutions; and that his Excellency the Governor be requested to transmit a copy of these resolutions to each of the Governors of the States and Territories of this Union, and that our Senators and Representatives be requested to lay the same before their respective Houses of Congress.

True Copy—Witness,

HENRY BOWEN, *Secretary.*

State of Rhode-Island and Providence Plantations.

EXECUTIVE DEPARTMENT,
Providence, January 27th *A. D.* 1845.

SIR:

Pursuant to a request of the General Assembly of this State, I have the honor to transmit to your Excellency a copy of the accompanying Resolutions.

With sentiments of respect,
Your obedient Servant,

J. Fenner

To his Excellency
The Governor of
Wisconsin Territory

1945
Resolution
Rhode Island v
Providence
Plantation

1845 Feb. 14

STATE OF NORTH CAROLINA.

RESOLUTIONS

RELATING TO THE INTERCHANGE OF DOCUMENTS.

Resolved, That this General Assembly regard with high approbation the plan of the several States interchanging Documents, copies of their Laws and decisions of their Courts, as proposed by the Legislature of the State of South Carolina, and hope that it will be universally adopted.

Resolved, That it shall be the duty of the Secretary of State to transmit regularly hereafter to the Executive of the several States, a bound printed copy of our Acts of Assembly, and a copy of the decisions of our Supreme Court.

Resolved, That a copy of the foregoing resolutions be transmitted by his Excellency the Governor to the Executive of each of the States.

Read three times in General Assembly, and ratified the 8th January, 1845.

EDWARD STANLY,
Speaker of the House of Commons.

BURGESS S. GAITHER,
Speaker of the Senate.

STATE OF NORTH CAROLINA,
Office of Secretary of State.

I, WILLIAM HILL, Secretary of State, in and for the State of North Carolina, do hereby certify, that the above is a true copy of resolutions passed at the last General Assembly of this State.

Given under my hand, this 14th day of February, 1845.

W. Hill

EXECUTIVE OFFICE,
RALEIGH, FEBRUARY 19, 1845.

Sir:

I have the honor to transmit the foregoing Resolutions agreeably to the direction of the General Assembly of North Carolina.

Very respectfully,

Your ob't. serv't.

Wm. A. Graham

Copy of Letter to Adjutant Genl.
Quartermaster Genl. & Commissary Genl.
of State of Ohio concerning
the authority to organize
Companies of Militia

1845, June 21.

State of Connecticut.

RESOLUTIONS

RELATING TO THE STATE OF RHODE ISLAND.

Resolved, That neither Congress nor any individual State has a right to interfere with the government of another State, in the exercise of her criminal jurisdiction, in matters pertaining exclusively to her own security, and in no way affecting the citizens of other States or the National Government.

Resolved, That in the opinion of this General Assembly, the people of Rhode Island, so far from having justly incurred the reproaches which have been cast upon them by the Resolutions of Maine and New Hampshire, have covered themselves with honor, and deserve the lasting gratitude of the States of this Union, for their triumphant vindication of the great principles of constitutional liberty, and their successful maintenance of the supremacy of the laws against the assaults of anarchy and treason.

Resolved, That His Excellency the Governor be requested to transmit a copy of these resolutions to each of the Governors of the several States and Territories of this Union, and that our Senators and Representatives in Congress be requested to lay the same before their respective Houses of Congress.

In Senate, June 13, 1845.—Passed.

N. L. WHITE, *Clerk.*

House of Representatives, June 13, 1845.—Passed.

JAMES H. HOLCOMB, *Clerk.*

OFFICE OF SECRETARY OF STATE.

Hartford, June 21, 1845.

I hereby certify that the above is a true copy of record.

Secretary of State.

1845
Rhode Isl. -
Resolution rel. to
State Rights

1845, June 21.

REPORT AND RESOLUTIONS

RELATING TO DIFFERENCES EXISTING BETWEEN THE STATES OF MASSACHUSETTS AND SOUTH CAROLINA.

The Joint Select Committee on FEDERAL RELATIONS, to whom was referred so much of the Speech of His Excellency the Governor as relates to the Preamble and Resolutions adopted by the Legislature of the State of South Carolina, directing the expulsion from that State of a distinguished citizen of Massachusetts,—and to the Declaration and solemn protest of Massachusetts against the hostile acts of South Carolina,—also, certain Resolutions of the States of Arkansas, Alabama and Illinois, relative to the proceedings of Massachusetts and South Carolina, respectfully

REPORT:

That the Committee have examined with profound interest and concern the prominent features of these differences between two distinguished States of the Union, evincing on the part of Massachusetts an earnest effort to bring the questions in dispute before the Supreme Court of the United States, the only constitutional and peaceful tribunal for the settlement of difficulties between States,—and equally evincing on the part of South Carolina, a determination to prevent, by legislation, or by force and violence, if necessary, the requisite steps to bring these differences to a fair and legal adjudication before the tribunal specified by the Constitution.

Without attempting to enter into the merits of this controversy in its early progress,—with a deep reluctance to recommend any proceedings calculated to imbitter feelings of hostility between these ancient and venerable States,—the Committee cannot forbear, when this controversy is thus officially brought before this Legislature by the act of both parties, to express their deliberate and decided condemnation of that State which resorts to *violence* and resists all appeals to *law*.

It is the boast and pride of our country, that our government is a government of *law* and *reason*, and not a government of *force*; and any State which refuses a *legal* adjudication of its controversies with another State, and which puts itself in an attitude of resistance and defiance of any attempt at such adjudication, is presenting an example which, if countenanced and followed by other States, must lead to the most fatal and disastrous results.

The stability and permanence of the Union itself,—our continued enjoyment of a safe, wise and beneficent government,—all our hopes of rational and constitutional liberty, depend on a spirit of justice and forbearance and good faith between the different States; and whenever differences arise, upon a peaceful, unconditional submission to the provisions of the Constitution.

The Committee therefore offer for the consideration of this Assembly the accompanying resolutions.

Per order of the Committee,

A. N. SKINNER, *Chairman.*

IN SENATE, June 13, 1845.—Accepted.

N. L. WHITE, *Clerk.*

HOUSE OF REPRESENTAVIVES, June 13, 1845.—Accepted.

JAMES H. HOLCOMB, *Clerk.*

By the Senate and House of Representatives in General Assembly convened:

Resolved, That "the deliberate determination of a State to refuse obedience to the judicial tribunals of the nation, in regard to the constitutionality of her laws, affecting the people of other States," is a palpable and dangerous violation of the national compact.

Resolved, That "any member of the confederacy which assumes to violate at pleasure the rights guaranteed to other States or their citizens, or to impair these rights by throwing impediments in the way of their legal vindication," betrays a distrust of the rectitude of her own acts, and an unwillingness to submit to the demands of justice, which justly exposes her to the imputation of a dishonorable violation of the public faith, inconsistent with the peace and safety of this Union.

Resolved, That the State of Connecticut views with profound regret these differences between Massachusetts and South Carolina; and that while she feels bound to condemn a course of proceedings on the part of the latter which cuts off the only constitutional means of redress, she still hopes to see a spirit of moderation and justice prevail over popular excitement; and that these two ancient and patriotic States, which contended nobly together in the battles of the Revolution and in discussing the principles of civil liberty, will peacefully submit their differences to the great tribunal of the Nation, and devote their united wisdom and strength to the perpetuation of the Union which they so eminently contributed to establish.

Resolved, That His Excellency the Governor of this State be requested to transmit a copy of these resolutions and the report accompanying, to each of the Governors of the several States and Territories of this Union.

IN SENATE, June 13, 1845.—Passed.

N. L. WHITE, *Clerk.*

HOUSE OF REPRESENTATIVES, June 13, 1845.—Passed.

JAMES H. HOLCOMB, *Clerk.*

OFFICE OF SECRETARY OF STATE.

HARTFORD, June 21, 1845.

I hereby certify that the above is a true copy of record.

Chas. D. Ayer *Secretary of State.*

Report & Resolutions
relating to the difference
existing between Mass
& South Carolina

Connecticut

1845

1845, July 1.

STATE OF NEW HAMPSHIRE.

Resolved by the Senate and House of Representatives in General Court convened, That in the opinion of this Legislature, the true welfare and permanent prosperity of the whole people of the United States demand of our national government, so far as possible, through its revenue and all other laws, equal favor and protection to the great interests of our extended Union, so that while its blessings shall be dispensed, "like the dews of Heaven, unseen and unfelt, save in the freshness and beauty they contribute to produce," its burdens may be alike unfelt, and no class of the community, nor any section of our common country, have cause to complain of the oppressiveness or inequality with which they are imposed.

Resolved, That we repudiate the policy of taxing one portion of our citizens for the benefit of another—a tariff for protection, merely, and not for revenue; but advocate such a system of impost duties, to be adopted in that spirit of equity, caution and compromise in which the Constitution was formed, as will be sufficient to defray the necessary expenditures of an economical administration of the general government, at the same time furnishing reasonable, and, so far as practicable, *equal* incidental protection to all the great and important departments of our national industry.

Resolved, That we regard our existing revenue laws as, in several essential respects, defective, unequal, unjust and oppressive, and believe they should be so modified as to remove their objectionable features, and relieve the suffering from those evils which their wrongful operation unceasingly inflicts.

Resolved, That the result of the recent Presidential election affords full and conclusive proof, that a large majority of the American people, under the influence of that "sober second thought," which always sooner or later comes to the honest and intelligent minds, prefer an Independent Treasury, to any other mode of administering the fiscal affairs of their government.

Resolved, That we regard the re-establishment of an Independent Treasury, providing for the collection, safe-keeping, transfer and disbursement of the public revenue, by officers appointed by the government and responsible to the people, requiring the public money to be deposited in the Treasury or its branches, and prohibiting any loan or use of it except in the legal disbursements of of the government, under severe penalties, as a great and salutary measure of practical and permanent reform, calculated to prevent the monetary affairs of our vast and rapidly increasing nation from being ever again subjected to the caprice and instability of irresponsible corporations, which it is the imperious duty of Congress forthwith to accomplish.

Resolved, That the Secretary of State be directed to forward a copy of these resolutions to the Governor of each of the several States and Territories in the Union, and to the presiding officer of each of the two Houses of the twenty-ninth Congress, and to each of our Senators and Representatives in the Congress of the United States.

HARRY HIBBARD, *Speaker of the House of Representatives.*
ASA P. CATE, *President of the Senate.*

Approved, July 1, 1845.

JOHN H. STEELE, *Governor.*

A true copy, attest,

THOMAS P. TREADWELL, *Secretary of State.*

1845, July 2.

STATE OF NEW HAMPSHIRE.

Resolved by the Senate and House of Representatives in General Court convened, That in the opinion of this Legislature, the act of Congress, passed at its extra session on the 4th of September 1841, providing for a division among the States, of the proceeds of the sales of the public lands of the United States, generally called and known by the name of the Distribution Act, inasmuch as it indirectly sanctioned the principle, that the general government might raise money for the purpose of distributing the same back again to the pockets of the people from which it had been drawn, and was thus in its consequences, calculated to make the State governments, and through them the people of the States, the mere dependents and stipendiaries of the national government; inasmuch as it was a plain and palpable violation of the express provisions of those solemn compacts by which one portion of the public lands became the property of the United States, wherein it was expressly stipulated that those lands "shall be considered a common fund for the use and benefit of the Confederation or federal alliance of said States, and shall be faithfully and bona fide disposed of for that purpose, and for no other use whatever," and inasmuch as it was an unauthorized and illegal appropriation to the individual States, by their common agent and trustee, the national government, of a fund derived from property holden by the States in their united and federal character, and sacred to their joint use in that same united and federal capacity only, was one of those dangerous, unwarranted, illegal, ruinous and unconstitutional enactments which the people of the State of New Hampshire never have, and never will, either directly or indirectly, sanction or approve, and which it is the duty and should be the pleasure of Congress expressly to condemn and reprobate.

And be it further resolved, That the Secretary of State be directed to forward a copy of these resolutions to the Governor of each of the several States and Territories in the Union, and to the presiding officer of each of the two Houses of the twenty-ninth Congress, and to each of our Senators and Representatives in the Congress of the United States.

HARRY HIBBARD, *Speaker of the House of Representatives.*
ASA P. CATE, *President of the Senate.*

Approved, July 2, 1845.

JOHN H. STEELE, *Governor.*

A true copy, attest,

THOMAS P. TREADWELL, *Secretary of State.*

1845, July 2.

STATE OF NEW HAMPSHIRE.

Resolved by the Senate and House of Representatives in General Court convened, That our National Government, warned by the overreaching policy and deep duplicity of Great Britain in relation to the North Eastern Boundary, should assert and maintain our rights to the territory of Oregon to the 54th degree of North latitude.

Resolved, That concession, harmony and forbearance, under repeated and long-continued injuries, cease to be national virtues, and that our government will best represent the national spirit by entering into no compromise with tyranny and by submitting to no national wrong.

Resolved, That the interference of England to prevent the peaceful annexation of Texas to the Union, is a measure as unprecedented and unjustifiable as insulting to this Republic, and requires speedy explanation by the British Ministry.

Resolved, That the interference of the United States to avert from any portion of the people of this continent or the world, the miseries of British colonial servitude, would be abundantly justified by the acts of that government.

Resolved, That the recent developements of the intrigues of the British Government with those of Mexico and Texas, to defeat the policy of this nation in relation to the annexation of Texas, demonstrates the sagacity, wisdom and patriotism of such of our statesmen as, by their efforts, brought this great measure to a triumphant consummation.

Resolved, That His Excellency the Governor be requested to furnish copies of the foregoing resolutions to the Legislatures of the several States, and to our Senators and Representatives in Congress.

HARRY HIBBARD, *Speaker of the House of Representatives*
ASA P. CATE, *President of the Senate.*

Approved, July 2, 1845.

JOHN H. STEELE, *Governor.*

A true copy, attest,

THOMAS P. TREADWELL, *Secretary of State.*

1845, July 2.

STATE OF NEW HAMPSHIRE.

Resolved by the Senate and House of Representatives in General Court convened, That in the opinion of this Legislature, the act of Congress, passed at its extra session on the 4th of September 1841, providing for a division among the States, of the proceeds of the sales of the public lands of the United States, generally called and known by the name of the Distribution Act, inasmuch as it indirectly sanctioned the principle, that the general government might raise money for the purpose of distributing the same back again to the pockets of the people from which it had been drawn, and was thus in its consequences, calculated to make the State governments, and through them the people of the States, the mere dependents and stipendiaries of the national government; inasmuch as it was a plain and palpable violation of the express provisions of those solemn compacts by which one portion of the public lands became the property of the United States, wherein it was expressly stipulated that those lands "shall be considered a common fund for the use and benefit of the Confederation or federal alliance of said States, and shall be faithfully and bona fide disposed of for that purpose, and for no other use whatever," and inasmuch as it was an unauthorized and illegal appropriation to the individual States, by their common agent and trustee, the national government, of a fund derived from property holden by the States in their united and federal character, and sacred to their joint use in that same united and federal capacity only, was one of those dangerous, unwarranted, illegal, ruinous and unconstitutional enactments which the people of the State of New Hampshire never have, and never will, either directly or indirectly, sanction or approve, and which it is the duty and should be the pleasure of Congress expressly to condemn and reprobate.

And be it further resolved, That the Secretary of State be directed to forward a copy of these resolutions to the Governor of each of the several States and Territories in the Union, and to the presiding officer of each of the two Houses of the twenty-ninth Congress, and to each of our Senators and Representatives in the Congress of the United States

HARRY HIBBARD, *Speaker of the House of Representatives.*

ASA P. CATE, *President of the Senate.*

Approved, July 2, 1845.

JOHN H. STEELE, *Governor.*

A true copy, attest,

THOMAS P. TREADWELL, *Secretary of State.*

E. Goodwin: Tenner to [Doty?]
1845, Jan. 27.

1845, July 3.

State of New-Hampshire.

The select committee, to whom was referred the special message of His Excellency the Governor, with the resolutions of the General Assembly of Rhode Island, in answer to certain resolutions passed by the Legislature of this State, at its session in November, 1844, relative to the unjust and tyrannical treatment of Thomas Wilson Dorr, submit the following

REPORT.

The resolutions of the General Assembly of Rhode Island, charging as they do, that the resolutions adopted by the Legislature of this State, at its session in November, 1844, are "marked with the grossest falsehood, ignorance and impertinence," instead of exciting feelings of anger, are only calculated to awaken emotions of pity and contempt; of pity, that *grave* and *dignified* legislators should so far forget themselves, as to lose sight of truth, in their earnest desire to shield from observation those, whose names have become a reproach to our land, and whose acts would be a disgrace to any civilized people; of contempt for men, who voluntarily consent to become the apologists of Durfee and his associates, the modern Jeffreys, not of old, but of New England. Passing over the charge of "ignorance and impertinence" *modestly* made by the Assembly of Rhode Island, it may not be deemed improper, or perhaps "*impertinent*" even, by the authorities of that State, for your committee to examine the charge of falsehood made by that "*law and order*" loving Assembly.

The preamble to the resolutions adopted by the Legislature of this State, sets forth "that in the opinion of the legislature," upon the trial of Governor Dorr, "all the substantial forms of justice required to be observed in criminal cases, were, during that trial, disregarded, his rights grossly violated and denied to him, by his removal for trial from the *vicinage* in which the crime was alleged to have been committed; by the selection of a packed jury, all of whom were his political enemies, and by the refusal on the part of the judges of the court before whom he was tried, to permit him, by the strongest evidence which it was possible to offer, to establish his innocence, and to prove that the acts for which he was charged with the crime of treason, were only in obedience to the constitution of the State, whose chief magistrate he was, and as such was bound to support that constitution which the people of Rhode Island had adopted, and which evidence of its adoption he offered to lay before the court, by presenting the votes of the people themselves, on which votes were the names of the voters, so that if fraud or illegal voting had been resorted to in the adoption of the constitution, the court would be enabled to detect the same; all of which evidence was rejected, and the decision of his guilt or innocence, in which was involved the great and important question of the right of the people to establish a form of government suited to their own wants and convenience, was referred to a jury packed for the occasion, and three of whom he offered to prove to the court, had, in violation of their oath, prejudged his case."

The above contains the charges declared to be "marked with falsehood" by the Assembly of Rhode Island. Without undertaking an argument to show that the people of a State have the right to alter or abolish their form of government, your committee would simply remark, that the constitution, adopted by the people of Rhode Island, under which Mr. Dorr was elected and acted as the governor of that State, received the votes of 13,955 in favor, and only 46 against it; and that the whole number of free white males in the State, at that time, over the age of 21 years, was 22,674. These facts were offered to be proved to the court, upon the trial of Governor Dorr, but the court refused to hear evidence upon this point

The charter Assembly of Rhode Island, at its session in March, 1842, passed an act, entitled "An act in relation to offences against the sovereign power of the State." The 3d section of this act, enacts as follows:—"That any person who shall assume to exercise any office under any pretended constitution of government for this State, or shall assemble for the purpose of exercising any such functions, every such exercise of, or meeting for the purpose of exercising any of said functions, shall be deemed and taken to be an *usurpation of the sovereign power of this State, and is hereby declared treason against the State*," and shall be punished by imprisonment during life." The 4th section of the act provides, that "all indictments under this act, and all indictments for treason against the State, may be preferred and found in any county of the State, *without regard to the county in which the offence is committed.*"

This 4th section is in direct conflict with the 6th amendment of the constitution of the United States, and having been enforced by the court on the trial of Governor Dorr, fully sustains the charge contained in the resolutions of our legislature—"that in the person of Thomas Wilson Dorr, now confined in the State prison of Rhode Island, the authorities of that State have trampled upon the constitution of the United States, by denying to him the right to be tried by an *impartial jury*, in the *vicinage* in which the crime was alleged to have been committed."

Dorr's alleged offence was committed in the county of Providence. In that county the people's constitution had most friends, as had Governor Dorr. In Newport county he had most political enemies, and there he was carried for trial. These facts appear from the record, and from the vote given in March, 1842, for and against what is termed the landholder's constitution, which vote was regarded as a test of the strength of parties, so far as the people's constitution

was concerned. In Providence county, the vote against the landholder's constitution, which was in fact a vote in favor of the people's constitution, was 5,925; for it 3,046. In Newport county, the vote against the constitution was 601; for it 1799.

With these facts known to the court, as appears from their own records, Dorr was removed, for trial, from Providence county, where his political friends numbered almost two to one of his political enemies, to Newport county, where his political opponents were as three to one of his friends. It has sometimes been usual in cases of great excitement, when strong prejudices exist against an individual, and when it is apparent to the court that a fair and impartial trial cannot be had in the county where the offence is alleged to have been committed, to remove the accused to another county for trial; not to insure his conviction, as in the case of Governor Dorr, not to take him from his friends, to be tried by his enemies, but for the purpose of giving the individual a fair and impartial trial, before a jury of *honest and impartial men*. The case of Governor Dorr, it is believed, however, is the only one of a capital offence tried in this country, in which the offence alleged was committed in another county than that in which the trial was held, and against the strong protestations of the individual charged with the offence, who claimed his constitutional right to be tried in the *vicinage* in which the offence was alleged to have been committed.

The proceedings of that trial, and the facts there elicited, all of which are on the files or records of the court in Newport county, R. I., and have become matters of history, fully sustain the position taken, and the facts set forth in the preamble and resolutions of the Legislature, against the authorities of the State of Rhode Island, relative to their unjust and tyrannical treatment of Thomas Wilson Dorr.

On the 29th of February, Governor Dorr was carried to Newport for trial, and forthwith arraigned. Being called upon to plead, he put in a plea against the jurisdiction of the court, on the ground that the law authorizing the finding of indictments out of the county in which the offence is charged to have been committed, was unconstitutional. Nothing was alleged in the county of Newport. Dorr's counsel moved the court to transfer the indictment to Providence county. The motion was overruled.

The committee would here introduce two of the questions proposed by the Attorney General, to be put to the jury, as tending to show the means resorted to to insure a conviction, and to secure a *packed jury* of Governor Dorr's enemies. The 4th question is in these words: "Have you formed an opinion, or do you believe the said Thomas W. Dorr was governor of this State, or authorized to exercise the duties of governor, at any time between the 16th day of May, 1842, and the 28th of June, 1842?" The 5th question was: "Are you a relation of Thomas W. Dorr?" These questions were objected to by Governor Dorr, but Chief Justice Durfee observed, "that he was clearly of opinion they should be asked." The evident object of these questions was, to exclude from the jury Dorr's political friends. The question to the jury was not, Have you formed an opinion as to the guilt or innocence of the accused? but, Do you believe he was governor of Rhode Island? Are you a relation of his? No other evidence would seem to be necessary to establish the fact, that a *packed jury* was deemed necessary, nay, *indispensable* to ensure Dorr's conviction; but if more is needed, it will appear in the further examination of this extraordinary trial.

Of the 108 summoned jurors, Forbes Manchester, the only one connected with the democratic party, was set aside. Does any reasonable man believe that this selection of jurors was *purely accidental*, or that Forbes Manchester was set aside for any cause but that of being a member of the democratic party? If such an one can be found, he is of course prepared to show some reason for this *accidental* selection of jurors from among the exclusive political enemies of Governor Dorr.

During that trial Governor Dorr offered to produce the votes given for the adoption of the people's constitution, or to call in the voters themselves, separately, to verify their votes. This evidence was refused by the court. Dorr's counsel, (Mr. Turner,) claimed of the court the right to address the jury on all matters of law involved in the case, as the jury, in all capital cases, are judges both of the law and fact. Chief Justice Durfee objected, saying, "*We must have* the duty and responsibility of deciding upon the law;" and the court even refused to hear argument upon this question, Chief Justice Durfee remarking, "*I am willing to hear it reargued, when the court are at leisure*"! Yes, willing to hear after the defendant was condemned by his *packed jury*, who were to take the law as he gave it, retire to the jury room, not for deliberation, but to convict the accused in accordance with *Judge Durfee's law*, and the political enmity of the party whose associates and tools they were, in this disgraceful attempt to sacrifice one whose only crime had been, in advocating the doctrine of the sovereignty of the people, and endeavoring to maintain the people's rights.

On the 15th day of May, Mr. Dorr, by his counsel, (Mr. Turner,) filed in the office of the clerk of the court the following bill of exceptions and motion for a new trial. As this bill of exceptions shows conclusively the injustice done to Governor Dorr upon that trial, sustained as it is by the evidence in the case, and fully sustaining all the facts set forth by the Legislature of this State, in their preamble and resolutions of December, 1844, your committee have thought proper to introduce the entire bill as part of this report.

NEWPORT, SS.

Supreme Court, March Term, A. D. 1844.

INDICTMENT.

THE STATE, VS. THOMAS W. DORR.

And now, on this fourteenth day of the term of said court, after verdict and before sentence, the said Dorr moves the honorable court that said verdict may be set aside, and that no judgment be rendered thereon, and that a new trial of the said indictment may be awarded to him by the same, for the reasons following, viz.:

1. Because Joseph Paddock, Jr., the foreman of the jury, and also William L. Mellville, Jr. and Benjamin Carr, members of the jury, before the jury were empanelled, had each of them formed opinions of the guilt of the defendant, and had expressed such opinions, and in terms of prejudice and crimination toward the defendant, personally; thereby manifesting toward him feelings of vindictiveness and hostility that disqualified them to act as impartial jurors.

2. Because Abner Tallman, who was called for a juror, and testified he had neither formed nor expressed an opinion upon the charges laid in the indictment, and was otherwise competent, was set aside upon insufficient testimony.

3. Because a challenge against Samuel Westcott, for cause, by the defendant, as having formed and expressed an opinion of the guilt of the prisoner generally, though not upon the charges specifically set forth in the indictment, was overruled by the court, and defendant was compelled to set him aside by a peremptory challenge.

4. Because the writ of *venire* for the twelve additional jurors, issued on Friday, the 26th day of April, 1844, and served and returned by George Howland, a deputy sheriff of said county of Newport, was wrongfully and illegally served and returned, in that the said jurors returned on said writ of *venire*, or some of them, were so returned, at the nomination and suggestion of William H. Cranston, Esq., attorney and counsellor at law, and an officer of this court, whose frequently expressed opinions are inimical to traverser, and who, since the commencement of the present trial, has acted apparently as an attorney with, and as an agent in the employment and under the direction of the attorney general, and has summoned witnesses in behalf of the State, from remote parts of the Island; and a material portion of the testimony to prove said allegations having come to the knowledge of the traverser, since the filing of this original challenge to the array of the jury so illegally returned, and since the verdict in this cause.

5. Because neither the defendant nor his counsel were furnished with copies of either of the four last panels of jurors, returned upon writs of *venire* two full days before the said jurors were called and sworn, as the defendent was entitled to be; and in one instance he was furnished with a copy of a return only about three hours before the time for canvassing the same in court, whereby the defendant's right of challenge, for cause, was greatly and injuriously abridged.

6. Because, before the full jury was sworn, the defendant's counsel moved the court to permit the defendant to recall his peremptory challenges to six of the persons examined for jurors and set aside, and to challenge said persons for cause, upon proof to be produced, of their incompetency, which motion was denied by the court.

7. Because the defendant was not furnished with, although he seasonably applied for, a list of the government witnesses, two full days before the trial of said indictment commenced, as he was entitled to be; and because several witnesses were sworn and examined, of whom he had no previous notice whatever.

8. Because, before any evidence was introduced to prove either of the overt acts laid in the indictment, the court permitted evidence to go to the jury of acts done by the defendant and others, at a period of time long before the first overt act charged in said indictment.

9. Because the prosecutor was permitted to offer to the jury proof of acts in aggravation of the charges in the indictment, in which the defendant has no part, and of which he had no knowledge.

10. Because the court would not permit the defendant to justify himself, by offering to the jury the votes given by the people, and other testimony, to prove the adoption of the people's constitution in December, 1841, by a majority of the adult male citizens of the United States resident in this State; and to prove that, under said constitution, and according to the provisions thereof, in April, 1842, the defendant was duly elected Governor of this State; although the prosecutor admitted that "if the defendant was governor, he had a right to do all that he did," and was permitted to introduce evidence to prove that on the 3d day of May, 1842, in General Assembly sitting in Providence, the defendant took an oath as Governor of the State, and openly and avowedly acted, and was treated as such, by said Assembly.

11. Because the court, after the testimony recited in the preceding 10th specification, had been ruled out, when offered to justify the acts and proceedings of the defendant, also refused to permit the defendant to offer said testimony to repel the charge of malicious and treasonable motives and intentions, as laid in the indictment.

12. Because the court refused to permit to pass to the jury a copy of the people's constitution, to show that a republican form of government was provided for in the same, according to the guaranty in the constitution of the United States.

13. Because the court would not permit the defendant or his counsel to argue to the jury several matters of law deemed important to a full defence, and especially the following, viz:

1st, That, in this country, treason is an offence against the United States only, and cannot be committed against an individual State.

2d, That the 4th section of the act of Rhode Island, of March, 1842, entitled "An act relating to offences against the sovereign power of the State," whereby indictments may be found out of the county where the offences were charged to have been committed, is unconstitutional and void, as destructive of the common right of trial by jury, which was a fundamental part of the English constitution at the time of American independence, and has ever since been a fundamental law in Rhode Island.

3d, That said act, if constitutional, gave this court no jurisdiction to try this indictment at that time in the county of Newport, all the overt acts being therein charged as committed in the county of Providence, where the defendant is by law entitled to be tried.

4th, That in law the defendant acted justifiably as Governor of the State, under a valid constitution, rightfully adopted, which he was sworn to support.

14. Because the court overruled the first point in the preceding 13th specification, and instructed the jury that treason might be committed against a State.

15. Because the court refused at the time to hear any argument from the defendant or his counsel, upon the 2d, 3d and 4th points in said 13th specification, and instructed the jury that the defendant could not have been justified, by any evidence by him, in acting as Governor of the State.

16. Because the court then refused to hear an argument from the defendant or his counsel, to show that, in capital cases, the jury are the judges both of the law and of the facts; and misdirected the jury, in charging them that they were not the judges of the law and of the facts in said cases, but were bound by their oaths to take the law as laid down by the court, and were no further judges of it than simply in applying it, as given to them by the court, to the facts which they deemed proved in the case.

17. Because the court misdirected the jury, in charging them that the only question of intention on the part of the defendant, which, under their oaths, they could consider, was, whether the defendant, at the times laid in the indictment, intended to commit the acts charged against him in the same.

18. Because the officers charged with the service of writs of *venire* for the return of 108 jurors, selected and summoned the whole number, except one, from members of one political party in the State, whose political feelings and prejudices are inimical to the political party to which the defendant is attached, and to the defendant himself.

On the 12th day of June, as appears from the records of the court, "The court rule that *no testimony* shall be introduced in relation to *any expression made by* or *partiality of jurors.*" And on the 18th of the same month, "The court rule that *no evidence* be introduced on the part of the prisoner *to prove that the sheriff* made improper return on *venire facias* for jurors."

With all these facts staring them in the face, being matters of record in their own courts, the General Assembly of Rhode Island, *modestly resolve* "That said resolutions, (the resolutions of the New Hampshire Legislature,) marked as they are by the grossest falsehood, ignorance and impertinence, are at once disgraceful to the Legislature of New Hampshire, and *insulting* to the government and people of Rhode Island." The honor of New Hampshire, thank God, is not committed to the Algerine tyrants of Rhode Island. New Hampshire has not yet *to ask* the General Assembly of that State when, she may express opinions, and what opinions she may put forth upon great and important constitutional or other questions. She has not yet descended *so low* as to court the smiles of those, who, by their persecutions of Governor Dorr, have disgraced not only their own State but the Union. If we have spoken that which tyrants in all ages have most dreaded—the truth; if we have held up too plainly the mirror which has reflected back to those in power in that State, at the time of Dorr's trial, their own *disgraceful conduct*, and made it appear *to them* even, in its own *hideous deformity*; we have no right perhaps, to expect their approbation, nor do we desire it. The charge of "*falsehood*," we indignantly hurl back upon those who made it. Let them examine the records of their own courts, they may there learn the truthfulness of the resolutions of New Hampshire. They may there read the evidence of their own guilt; the corruption of their own judges; and the charge *fully sustained*, that the jury before whom Thomas Wilson Dorr was tried, was a *packed jury*: three of whom had, in violation of their oath, prejudged his case.

If to speak the truth be considered by the government and people of Rhode Island, *insulting*, then are we content to lay under the imputation, claiming, however, as we always shall, the privilege of freely expressing our opinions upon a transaction which has outraged the feelings of every friend of justice, of humanity and of free institutions. A transaction unworthy the age in which we live; *disgraceful* to the State of Rhode Island, and which is a foul blot upon our national escutcheon. Therefore, the committee have instructed me to report the accompanying resolutions.

L. SAWYER, for the Committee.

STATE OF NEW HAMPSHIRE.

Resolved by the Senate and House of Representatives in General Court convened, That the statements contained in the preamble and resolutions of the legislature of this State at its session in November, 1844, relating to the unjust and tyrannical treatment of Thomas Wilson Dorr, by the authorities of Rhode Island, are true; that they are fully sustained by the evidence in the case, and by the records of the court before whom he was tried; and that the Assembly of Rhode Island never can, by resolutions denunciatory of this or any other legislature, wipe out from the page of history the deep stain which must ever attach itself to that State, until full and complete justice be done to that much injured individual.

Resolved, That the Secretary of State be directed to furnish to the Governors of the several States and Territories a copy of this report and resolutions, and also to our Senators and Representatives in Congress.

HARRY HIBBARD, *Speaker of the House of Representatives.*
ASA P. CATE, *President of the Senate.*

Approved July 2, 1845.

JOHN H. STEELE, *Governor.*
A true copy—Attest—THOMAS P. TREADWELL, *Secretary of State.*

1845, July 2

STATE OF NEW HAMPSHIRE.

Resolved by the Senate and House of Representatives in General Court convened, That in the opinion of this Legislature, the existing Post Office laws of the United States should be so modified, as to permit newspapers to pass through the mail free of postage to any part of the State in which they are printed, and that a regard to justice and equality, and the diffusion of information among the people, demand such a modification thereof.

Resolved, That our Senators in Congress be instructed, and our Representatives requested, to use their influence to procure such modification.

And be it further resolved, That the Secretary of State be directed to furnish a copy of these resolutions to each of our Senators and Representatives in the Congress of the United States.

HARRY HIBBARD, *Speaker of the House of Representatives.*

ASA P. CATE, *President of the Senate.*

Approved, July 2, 1845.

JOHN H. STEELE, *Governor.*

A true copy, attest.

THOMAS P. TREADWELL, *Secretary of State.*

Resolutions of
New Hampshire

1845

Acknowd. receipt

[1845-?]

The several appropriations made to Josiah A Noonan and to the Editors of the Wisconsin Inquirer Noonan and Sholes by the Legislative Assembly of Iowa Territory were made in the following manner viz:

At the session of January 13th 1840 there was appropriated Noonan & Sholes for publishing sundry acts proclamations &c $170.50/100 which was paid in full by Saml B Knapp Fiscal Agent

To Josiah A Noonan in full for printing &c $501.72

do additional being extra allowance 500.00 $1,001.72

Amount paid him by Saml B Knapp per Report No 80169 975.00

Balance unpaid $26.72

At the session of August 14th 1840 there was appropriated

to J A Noonan for printing		$782.11
Ed Wisconsin Inq. for 575 papers furnished item	7.88	
do for printing	16.38	
do To papers for the Council	22.50	110.76 $892.87

Amt. of this appr. paid as follows

To Noonan & Sholes per receipt dated Sep 23 1840 (pd by W B Slaughter) $270.-

By Saml B Knapp transferred to W B Slaughter

Report No 91184

Per voucher No 1		$10.00		
do	2	$50.-		
do	3	50.-	100.00	200. $670.00

Balance of that appropriation unpaid	222.87
Balance of appr. 13 Jany 1840 unpaid	26.72
Total appropriations unpaid	249.59

The last sum being the amount apparently standing to the credit of said Editors but by reference to a copy of a Personal bond issued by Francis J Dumont then Secretary of the Territory dated February 19th 1841 to Josiah A Noonan for the sum of $632 - purporting to be the balance of the first item of the appropriation of 14 Augt 1840 Count $782 11/100 which

Official signature

To Josiah A Noonan in full for printing &c $501.72

do Additional being extra allowance 500.00 $ 1.001.72

Amount paid him by Daniel B Knapp per Report

No 80169 975.00

Balance unpaid $ 26.72

At the session of August 14. 1840 there was appropriated

to J A Noonan for printing $ 782.11

Ed Wisconsin Reg. for 575 papers furnished mem 7.88

do for printing " 16.38

do For paper for the Council " 2250 " 110.76 $ 892.87

Amt. of this appr. paid as follows

To Noonan & Sholes per receipt dated Sep 23. 1840 pd by W B Slaughter $ 270.-

By Daniel B Knapp transferred to W B Slaughter

Report No 91184

Per voucher No 1 $ 10000

do 2 $ 50.-

do 3 50 - 100.00 200. $ 670.00

Balance of that appropriation unpaid " 222.87

Balance of appr. 13 Jany 1840 unpaid " 26.72

Total appropriations unpaid " 249.59

The last sum being the amount apparently standing to the credit of said Editors but by reference to a copy of a Personal bond issued by Francis J Dumas then Secretary of the Territory dated February 19th 1841 to Josiah A Noonan for the sum of $632 - purporting to be the balance of the first item of the appropriation of 14 August 1840 Count $782 11/100 which bond was assigned to Chas C Sholes by said Noonan and subsequently came in possession of one Alexander Mitchell who as will appear by reference to the affidavit of said Mitchell on file with Report No 113.792 sent said bond to Messrs Strachan & Scott of New York who received from Alex P Field then secretary of the Territory the sum of $300.— as appears by the receipt on the back of said bond and was by them returned to said Mitchell and by him retained until June 1845 when he Mitchell received the balance due upon the bond in warrants drawn upon the Treasurer of Wisconsin and delivered

Statement with reference to the manner of payment of appropriations

W. S. Statement.

Executive Department
Wisconsin Territory
Madison May 25. 1846.

Hon: John Catlin
Secretary of Wisconsin

Sir,

I have on this day appointed Alexander F. Pratt. to take the Census or enumeration of the inhabitants, of the County of Waukesha. Territory of Wisconsin

I have the honor to be
Very respectfully
Your obt Servt
Henry Dodge

Racine Jan 4th 1847

Hon. Henry Dodge

Dear Sir

Mr Sanders near two weeks since forwarded to you the affidavits be necessary for a requisition upon the executive of N York for William Raymond now living in that State, certain goods and Jewelry stolen in this place about a year since being lately found in his possession. Mr Sanders a few days after he forwarded the papers started for N York, he stated to me that the requisition would be sent to this office and wished me to forward it to him without delay having heard nothing from it as yet I fear that there may have been some mistake in the direction so that the papers may not have come to your hand. they were directed, I think to Mineral Point. By informing me what you know in the premises you will much oblige Mr S. & myself

Hon Henry Dodge

Yours &c with
much respect
Talmadge Vitas

Jas. M. Tates
Jan 4. 1884

1847, May 8

Mr Ransom

To Steamer Falcon

Freight on 35 Sacks Potatoes 6 Ct @ 15	9.75
Passage from Rock Island	4.00
	$ 13.75

Nauvoo May 8th 1847 Rec. payment

John Crandall
Agt

1848, July

REGULATIONS

RELATIVE TO THE

ADMISSION OF CADETS INTO THE MILITARY ACADEMY.

As frequent enquiries are made in regard to the mode of procuring admission into the Military Academy, all persons interested in the subject are hereby informed, that applications should be made by letter to the Secretary of War. By regulation of law, the annual selection for Cadets, except ten At Large and one from the District of Columbia, are to be taken from the Congressional Districts; and one only from each district can be at the institution at the same time: the District appointments are generally made on the nomination of the member of Congress then representing the same. Applications can be made, at any time, by the candidate himself, his parent, guardian, or any of his friends, and the name placed on the Register. No preference will be given to applications on account of priority; nor will any application be entered in the Register, where the candidate is under or above the prescribed age; the **precise age** *must be given;* **no relaxation of the regulation in this respect will be made**; *nor will any application be considered, in cases where the age and other qualifications of the candidates are not stated. The fixed abode of the candidate, and* **number** *of the Congressional District in which he considers his permanent residence, must be set forth in the application.*

Applications, if not **renewed annually,** will not be *reconsidered. This renewal may be effected by letter, addressed to the Secretary of War, merely stating the fact of such renewal.*

The appointments will be made annually in the months of February or March. The claims of all the candidates on the Register will be considered and acted upon. Each Congressional and Territorial District and the District of Columbia will be entitled to have one Cadet at the Academy. Each Cadet must be an actual resident of the District from which the appointment is to be made. No certain information can be given as to the probable success of a candidate, before the arrival of the period for making the selections. Persons, therefore, making applications, must not expect to receive information on this point.

As a general rule, no person will be appointed who has had a brother educated at the institution.

QUALIFICATIONS.

Candidates must be over sixteen and under twenty-one years of age, at the time of entrance into the Military Academy; must be at least five feet in height, and free from any deformity, disease, or infirmity, which would render them unfit for the military service, and from any disorder of an infectious or immoral character. They must be able to read and write well, and perform with facility and accuracy the various operations of the four ground rules of arithmetic, of reduction, of simple and compound proportion, and of vulgar and decimal fractions.

It must be understood that a full compliance with the above conditions will be insisted on:—that is to say—the candidate must write in a fair and legible hand, and without any mistakes in spelling, such sentences as shall be dictated by the examiners; and he must answer, promptly and without errors, all their questions in the above mentioned rules of Arithmetic:—failing in any of these particulars, he will be rejected.

It must also be understood, that every candidate will, soon after his arrival at West Point, be subjected to a rigid examination by an experienced Medical Board, and should there be found to exist in him any of the following causes of disqualification, to such a degree as will immediately, or in all probability may, at no very distant period, impair his efficiency, he will be rejected.

1. *Feeble constitution and muscular tenuity; unsound health from whatever cause; indications of former disease; glandular swellings, or other symptoms of scrofula.*

2. *Chronic cutaneous affections, especially of the scalp, or any disorder of an infectious character.*

3. *Severe injuries of the bones of the head, convulsions.*

4. *Impaired vision, from whatever cause; inflammatory affections of the eye-lids; immobility, or irregularity of the iris; fistula lachrymalis, &c. &c.*

5. *Deafness; copious discharge from the ears.*

6. *Loss of many teeth, or the teeth generally unsound.*

7. *Impediment of speech.*

8. *Want of due capacity of the chest, and any other indication of a liability to a pulmonic disease.*

9. *Impaired or inadequate efficiency of one or both of the superior extremities on account of fractures, especially of the clavicle, contraction of a joint, extenuation, deformity, &c. &c.*

10. *An unnatural excurvature or incurvature of the spine.*

11. *Hernia.*

12. *A varicose state of the veins, of the scrotum and spermatic cord, (when large,) sarcocele, hydrocele, hemorrhoids, fistulas.*

13. *Impaired or inadequate efficiency of one or both of the inferior extremities on account of varicose veins, fractures, malformation, (flat feet, &c.,) lameness, contraction, unequal length, bunyons, overlying or supernumerary toes, &c. &c.*

14. *Ulcers, or unsound cicatrices of ulcers likely to break out afresh.*

The following is a synopsis of the course of studies pursued at the Military Academy:

		DEPARTMENT.	TEXT BOOKS, ETC.
FIRST YEAR.	FOURTH CLASS.	Mathematics.	Davies's Bourdon's Algebra. Davies's Legendre's Geometry and Trigonometry. Davies's Descriptive Geometry.
		French Language.	Lévizac's Grammar. Bérard's Leçons Françaises. Voyage du Jeune Anacharsis.
		English Grammar.	Bullion's Grammar.
SECOND YEAR.	THIRD CLASS.	Mathematics.	Davies's Shades, Shadows and Perspective. Davies's Spherical Projections and Warped Surfaces. Davies's Surveying. Davies's Analytical Geometry. Church's Calculus.
		French Language.	Bérard's Leçons Françaises. Voyage du Jeune Anacharsis. Murray's English Reader.
		Drawing.	Human Figure. Topography.
THIRD YEAR.	SECOND CLASS.	Natural and Experimental Philosophy.	Courtney's Bucharlat's Traité de Mechanique. Davis' Electricity and Magnetism. Bartlett's Optics. Gummere's Astronomy.
		Chemistry.	Kane's Chemistry.
		Drawing.	Landscape. Topography.
FOURTH YEAR.	FIRST CLASS.	Engineering and Science of War.	*Military Engineering:* Treatise on Field Fortification. Lithographic Notes on Permanent Fortification. Attack and Defence, Mines and other accessories, Composition of Armies, Strategy, &c. *Civil Engineering:* Course of Civil Engineering. Lithographic Notes on Architecture, Stone Cutting and Machines.
		Ethics.	Blair's Rhetoric. Wayland's Elements of Moral Science abridged. Kent's Commentaries. Hodges' Elements of Logic.
		Infantry Tactics.	Rules and Regulations for the Exercise and Manœuvres of the United States Infantry.
		Artillery.	U. S. Artillery Tactics. Kinsley's Pyrotechny. Thiroux's Instruction Théoretique et Practique d'Artillerie. Knowlton's Notes on Gunpowder, Percussion Powder, Cannon, and Projectiles.
		Mineralogy and Geology.	Dana's Mineralogy. Hitchcock's Geology.

W. L. MARCY, *Secretary of War.*

WAR DEPARTMENT, July, 1848.

Provisional Regulations
relating to the
admission of Cadets
into West Point
Military Academy

Copy

Q. M. Genls. Office.
Washington City
Augt. 4th 1847.

Sir.

Your letter dated the 19th July is received. you will remain for the present in charge of the Postpublic property and see that it is well taken care of while in your charge.

Your account for funeral expenses will have to be submitted to the ~~Secy~~ Secretary of war before they can be allowed. His decision will be made known to you—

I am Sir.
Very respectfully
Your Obt Servant
(Sigd) Thos S. Jesup.
Q. M. General.

Mr. Wm Weir.
In charge of
Fort Winnebago. W.T.

Navy Department
Dec 21. 1847

Sir,

I have the honor to acknowledge the reference to this Department, by the President of your application for the appointment of the Rev Stephen McHugh as a Chaplain in the Navy.

There is at present no vacancy in that class of officers. When one shall occur, I shall be happy to give the application of Mr McHugh a respectful consideration.

I have the honor to be
very respectfully
your obt Svt

J. Y. Mason.

Hon Henry Dodge
Gov of Wisconsin Territory
Madison

John V. Mason
Dec 21. 1844

informing of the
reception of Wm. McC.
Heights application
as a Chaplain in the
Navy

[1847?]

His Excellency
Governor Dodge
Madison

Sir,

Enclosed we beg most respectfully to lay upon a Remonstrance against a Measure at present on the point of becoming Law, to which we would call your attention and also request the kindness of your cooperation to enable us to attain the postponement of the measure to the meeting of the next Legislature, that it may be better understood and investigated by those immediately thereby concerned, who up to the present time are almost entirely unaware that such a division of Townships has been in contemplation.

The division of the Townships of Yorkville and Rochester, into the townships of Raymond, Yorkville, Rochester, Waterford and Norway will leave the last township the tract of land described as town 4 Range 20. This is almost entirely populated by Norwegians who are unable from a want of sufficient knowledge of the English Language to watch the progress of political movements and were thus unaware that the division was in contemplation. The position of this part of the old townships is this that merely one third is lakes and marshes which never can be inhabited the remainder is woodland and hard tenacious soil – the inhabitants are cultivators of very small patches of land and which require arduous endeavors and means to make productive. No Water privilege exists in the township to give

Power

power to any kind of Machinery — No Store or any other kind of Mercantile Enterprize has been established and no Capital invested on which to levy taxes which might enable them less able to bear the burthen of taxation. The Expences of being set apart as a distinct township and for managing so, we conceive to be considerable and disproportionately larger than to the other townships — & most of the Inhabitants being foreigners and not as yet Naturalized Citizens will leave the whole Government of Affairs in the hands of a very few for at least 2 years to come — and for these reasons we would prefer the postponement of this division until such a time as may set us in a position to bear the additional Expences and take a larger share in the Election of our Officers and Management of Affairs.

We sincerely trust that your Excellency will excuse the liberty of troubling you by laying our Remonstrance before the Honour and calling Attention thereto and we entertain the sanguine Hope that your Excellency will give it additional Consideration as coming from a portion of the people who are less able to defend their Rights than the Citizens by birth or Adoption.

We have the honour

to

Herr Amtmann

Eure Excellence

Mit ehrerbietiger Hochachtung

Anders Andersen
Thormod Thoftensen.
Johannes Eriksen.
Peder Jacobsen
Niels Ho-Nielsen
Even-Hansen
Peter Gunnellegsen
Sjvert Ingebrechtsen
Gunnulf Kristensen
[redacted] Jonsen
Mathias Lorentzsen
Johannes Johansen
Ole Anderson
Ole Haagensen
Ole Leirgsen
Ole [illegible]
Leiif Olson

[redacted]

Same of Vico.

Aslak Bryniildsen
Bagke

J. Reymert

Nr. 1.

Remonstrance against the formation of "Norway" in Racine County

46—7